HIS HIGHNESS' GOVERNMENT, JAMMU AND KASHMIR

EVIDENCE RECORDED IN PUBLIC

BY THE

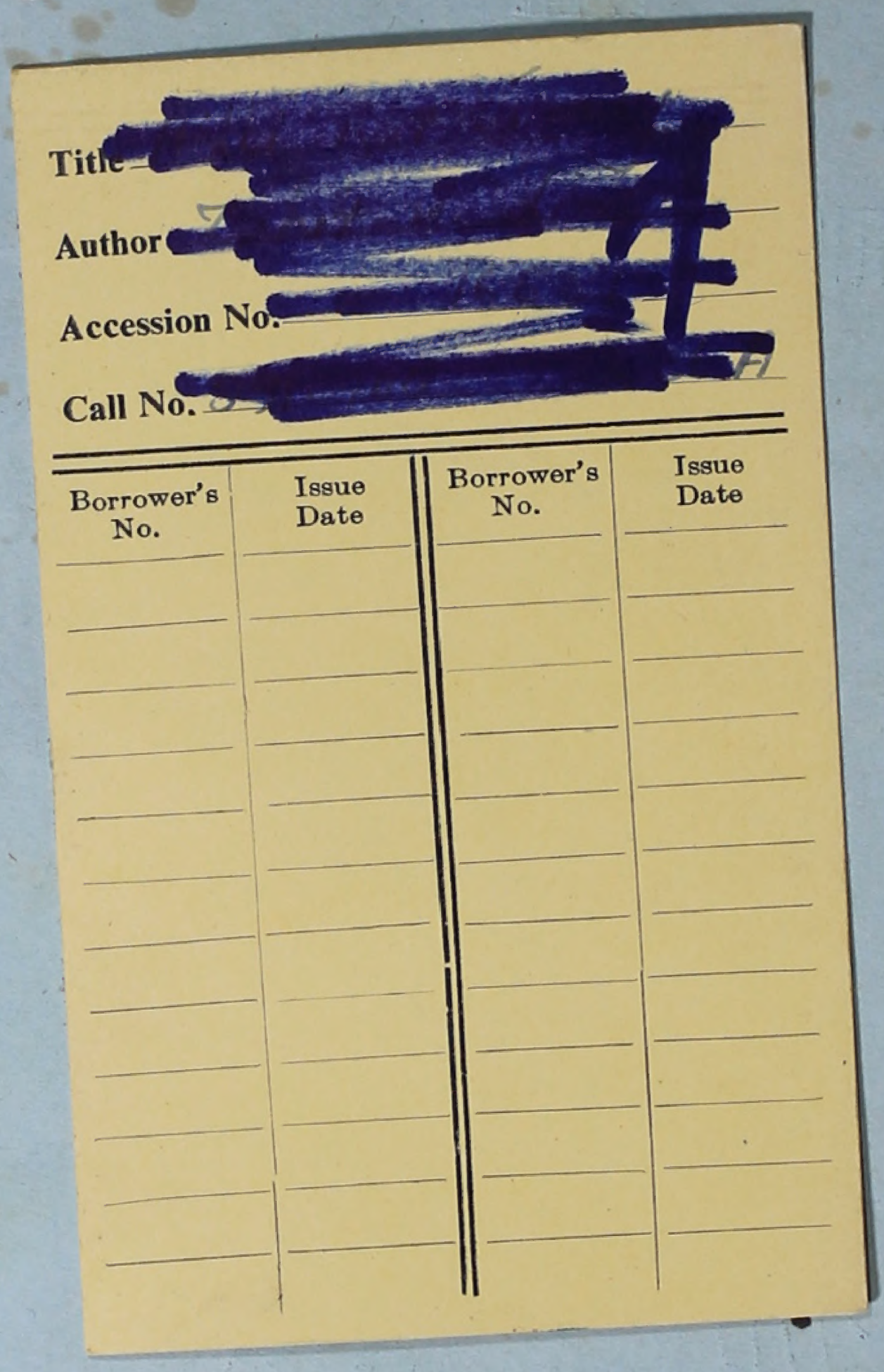
SRINAGAR RIOTS ENQUIRY COMMITTEE

1931

JAMMU:

Printed at The Ranbir Government Press.

1931


Title
Author
Accession No.
Call No.
Borrower's No.
Issue Date
Borrower's No.
Issue Date

LIBRARY
Acc. No 78364
Date 15.3.72

LIST OF ABBREVIATIONS.

A. D. M.	..	Additional District Magistrate.
A. S. P.	..	Assistant Superintendent Police.
C. I. D.	..	Criminal Intelligence Department.
D. I. G. or D. I. G. P.	..	Deputy Inspector General of Police.
D. M.	..	District Magistrate.
D. S. P.	..	District Superintendent of Police.
Ex.	..	Exhibit.
I. G. or I. G. P.	..	Inspector General of Police.
S. A.	..	Solemn Affirmation.
S. A. S.	..	Sub-Assistant Surgeon.
Y. M. M. A.	..	Young Men's Muslim Association.

Allama Iqbal Library
78364

Law of Evidence
347.06
STA/E

Title

Author

Accession No.

Call No.

Borrower's No.	Issue Date	Borrower's No.	Issue Date

TABLE OF CONTENTS.

Serial No.	Number and name of witness.	Page.
1	Witness No. 1, Raizada Trilok Chand, Governor Kashmir ...	1
2	„ „ 2, Colonel Gandharb Singh, Inspector General of Police, Kashmir ...	10
3	Witness No. 3, Sheikh Aziz-ud-Din, Deputy Inspector General of Police, Kashmir ...	15
4	Witness No. 4, Pt. Gopal Ram Thappa, Superintendent of Police, Srinagar ...	25
5	Witness No. 5, Pt. Gurdial Rampal, Superintendent C. I. D. ...	31
6	„ „ 6, Pt. Sudarshan Koul, Assistant Superintendent Police, Srinagar ...	33
7	Witness No. 7, Pt. Bhim Sain, City Magistrate, Srinagar ...	38
8	„ „ 8, Amar Nath, Sub-Inspector C. I. D., Srinagar ...	44
9	„ „ 9, Ch. Bhagat Ram, Additional District Magistrate, Srinagar ...	44
10	Witness No. 10, Pt. Kishen Lal Kichlu, Sessions Judge, Srinagar ...	46
11	„ „ 11, Lala Karam Chand, Jailor, Central Jail, Srinagar	49
12	„ „ 12, Sh. Abdul Majid, Superintendent Fire Brigade, Srinagar ...	52
13	Witness No. 13, Pir Qamar-ud-Din, Vakil, Srinagar ...	55
14	„ „ 14, Maulvi Mohammed Abdullah, Vakil, Srinagar ...	59
15	„ „ 15, Munshi Asdullah, Advocate High Court, Srinagar	67
16	„ „ 16, Pt. Mahesher Nath Koul, Inspector of Police, Srinagar	70
17	„ „ 17, Abdul Karim, Inspector C. I. D. ...	75
18	„ „ 18, Sheikh Habib Ullah, Sub-Inspector C. I. D. ...	77
19	„ „ 19, Thakur Sham Singh, Sub-Inspector Police ...	79
20	„ „ 20, Sh. Ghulam Mohammed, B. A., LL. B. ...	79
21	„ „ 21, Brigadier Onkar Singh ...	84
22	„ „ 22, Subedar Attar Singh ...	86
23	„ „ 23, Naick Onkar Singh ...	86
24	„ „ 24, Kh. Noor Shah, Revenue Assistant, Srinagar ...	88
25	„ „ 25, Pt. Raghunath Raina, Deputy Jailor ...	90
26	„ „ 26, Abey Singh, Sepoy, Suraj Gurkha ...	91
27	„ „ 27, Sepoy Ghlodhu ...	92
28	„ „ 28, Pt. Gopi Chand, constable ...	93

Serial No.	Number and name of witness.	Page.
29	Witness No. 29, Rai Sahib Pt. Sham Sunder Lal Dhar, Director Devasthans ...	94
30	Witness No. 6, Pt. Sudarshan Koul, Assistant Superintendent Police, (Re-called) ...	99
31	Witness No. 30, Khawaja Saif-ud-Din, Sub-Inspector ...	102
32	„ „ 31, Sh. Abdul Aziz, Sub-Inspector of Police ...	105
33	„ „ 32, Sardar Jewan Singh, Sub-Inspector of Police ...	106
34	„ „ 33, Pt. Gwash Lal, B. A. ...	107
35	„ „ 34, L. Anand Sarup, Assistant Superintendent Police, Anantnag ...	112
36	Witness No. 35, Th. Mian Singh, Sub-Inspector of Police ...	115
37	„ „ 36, Pt. Jia Lal Durbari, Sub-Inspector of Police ...	116
38	„ „ 37, L. Balmukand Kapur, Trader, Maharajganj Bazar...	118
39	„ „ 38, Pt. Ram Nath Bazaz ...	120
40	„ „ 39, Ahmed Sheikh, Fireman ...	122
41	„ „ 40, Gaffar Dar, Fireman ...	123
42	„ „ 41, Pt. Prithi Nath Madan ...	124
43	„ „ 42, Rasul Sheikh, Motor Driver of R. S. Sham Sunder Lal Dhar ...	126
44	Witness No. 43, Sudarshan, Fireman ...	127
45	„ „ 44, Pt. Balak Ram, Fireman, Rainawari Fire Brigade	129
46	„ „ 45, Pt. Bishamber Nath, Fireman Rainawari Fire Brigade ...	130
47	Witness No. 2, Colonel Gandharb Singh, Inspector General of Police (Re-called) ...	130
48	Witness No. 46, Kh. Saif-ud-Din, Naib-Tehsildar ...	132
49	„ „ 47, Dr. Abdul Wahid ...	133
50	„ „ 48, Pt. Mahadev Ram Clerk, office of the Director Kashmir Valley Food Control ...	136
51	Witness No. 49, Mr. B. D. Wazir, Telephone Inspector ...	138
52	„ „ 50, Maqbul Khan, constable ...	140
53	„ „ 51, Pt. Dina Nath, Secretary, Sanatan Dharam Vidyala	141
54	„ „ 52, Sher Ahmed Khan, Drill Instructor, Training School	142
55	„ „ 53, Thakur Hari Singh, 1st grade Head-constable ...	143
56	„ „ 55, Ali Sheikh Durban ...	144
57	„ „ 56, Mr. Wakefield, Army and Political Minister ...	145
58	„ „ 57, Bhagat Karam Chand, Trader ...	151

Serial No.	Number and name of witness.	Page.
59	Witness No. 58, Karam Chand Arora, Firm Tulsiram Kesho Dass	153
60	,, ,, 59, L. Amir Chand of Maharaj Ranbir Ganj Bazar ...	155
61	,, ,, 60, Pt. Gopi Nath Handu, Science Master, Mission High School ...	156
62	Witness No. 38, Pt. Prem Nath Bazaz (Re-called) ...	157
63	,, ,, 61, Jamadar Ratan Singh ...	169
64	,, ,, 62, Lance Naick Shyam Singh ...	171
65	,, ,, 63, Pt. Kailash Ram of Vicharnag ...	172
66	,, ,, 64, Vidh Lal of Vicharnag ...	173
67	,, ,, 65, Pt. Sri Kanth Khar of Vicharnag ...	177
68	,, ,, 66, Budhi Prakash of Delhi ...	179
69	,, ,, 67, Pt. Chander Bhanu Sharma, Brahman of Delhi ...	182
70	,, ,, 68, Kh. Gulam Ahmad Mukhtar, M. A., B. T. ...	183
71	,, ,, 69, Abdul Majid Qureshi ...	187
72	,, ,, 70, Brigadier Sutherland ...	189
73	,, ,, 69, Abdul Majid (Re-called) ...	195
74	,, ,, 71, Aftab Koul of Vicharnag ...	198
75	,, ,, 72, Mirza Ghulam Mustafa, Vice President, Municipal Committee and Retired Wazir Wazarat ...	199
76	Witness No. 73, Rai Bahadur Thakur Major General Janak Singh Ji Bahadur, Revenue Minister ...	203
77	Witness No. 74, Ahmed But, Jail Clerk ...	206
78	,, ,, 75, Sekandar Beg, Jamadar Jail ...	208
79	,, ,, 47, Dr. Abdul Wahid (Re-called) ...	208
80	,, ,, 77, S. Hira Singh, Post Master, Srinagar ...	211
81	,, ,, 78, Dr. Ghulam Ali, S. A. S. ...	212
82	,, ,, 79, Dr. Dev Koul, Private Practitioner ...	214
83	,, ,, 80, Pt. Jia Lal Koul, Professor S. P. College ...	219
84	,, ,, 81, Mr. P. K. Wattal, Honourable Finance and Development Minister ...	223
85	Witness No. 83, Colonel Nawab Khusru Jung, Honourable Minister-in-Waiting ...	226
86	Witness No. 84, Lala Nanak Chand, Vakil ...	229
87	,, ,, 85, Mahesher Nath Munshi ...	232
88	,, ,, 86, Pt. Dina Nath Arigam, 2nd Bridge, Srinagar ...	233
89	,, ,, 87, Pirzada Ghulam Rasul, Head Master, Islamia High School, Srinagar ...	236

Serial No.	Number and name of witness.	Page.
90	Witness No. 91, Sardar Thakur Kartar Singh Ji, DeputyRevenue Minister ...	241
91	Witness No. 92, Khan Bahadur, Thakur Agha Syed Hussain Sahib, Retired Minister of State ...	248
92	Witness No. 93, Colonel Jogindar Singh ...	254
93	,, ,, 94, Pt. Satya Lal ...	255
94	,, ,, 95, Mr. Eric Biscoe, C. S. M. High School ...	257
95	,, ,, 68, Ghulam Ahmad Mukhtar (Re-called) ...	260
96	,, ,, 96, Ghulam Qadir Kapra ...	260
97	,, ,, 97, Pt. Dina Nath Razdan ...	264
98	,, ,, 98, Pt. Sham Lal Bazaz ...	265
99	,, ,, 80, Pt. Jia Lal Koul (Re-called) ...	266
100	,, ,, 99, Aziz Ahangar ...	269
101	,, ,, 100, Qadir Zaru ...	270
102	,, ,, 101, Bukhtawar Khan, Lance Head-constable ...	272
103	,, ,, 102, Mr. Mohammed Subhan, Sub-Post Master Maharaj-ganj ...	273
104	Witness No. 103, Mufti Jalal-ud-Din ...	276
105	,, ,, 104, Dewan Dhanpat Rai, Additional Sessions Judge, Srinagar ...	278
106	Witness No. 105, Mrs. G. Thakur Dass ...	282
107	,, ,, 106, Qutab Din, constable No. 566 ...	284
108	,, ,, 107, Yusaf Shah, Head-constable No. 309 ...	285
109	,, ,, 108, Dr. Nur-ud-Din Khan, S. A. S., City Dispensary, Srinagar ...	286
110	Witness No. 109, Maulvi Noor Din Qari ...	288
111	,, ,, 110, Abdulla Joo Kapra ...	292
112	,, ,, 111, Mirza Noor Din, College Student ...	293
113	,, ,, 112, Mohammed Maqbool ...	293
114	List of persons wounded and killed during the riots and anonymous letters regarding Sangam bridge ...	295

WITNESS No. 1.

R. Trilok Chand, Governor Kashmir, on S. A.

27th July 1930.

His statement in the Vernacular was read over by the Reader (Ex. 6).

The statement in English marked Ex. 5 was put in by me.

Q. So far you have stated in your Vernacular statement that on the evening of 12th of July your information was that an attack on Jail was likely how is it that at 9 a. m. when you phoned to the Deputy Inspector General of Police you were prepared to accept his statement that "he was not able to verify the probability of an attack on the Jail"?

A. It is because the first information on the 12th of July was not authentic and it was subsequently not confirmed.

Q. At the same time you had before you all the previous occurrences of the incitement to the Mohammedans at the Jama Mosque and other mosques, you had information of large gatherings at the Court of the Sessions Judge on the 6th, 7th, 8th and 9th of July so large that you were induced to apply for a trial in Jail. Do you not think that this information was sufficient to warn you that when Abdul Qadeer who was previously being tried openly was being tried in Jail there was sure to be considerable physical disturbance at the Jail, merely by the reason that the accused person was not visible to the Mohammedans at the time and reports may be spread among ignorant Mahammedans that he was dealt with physical force inside the Jail?

A. The situation of the room where Abdul Qadeer was being tried was such that both the Sessions Judge and Abdul Qadeer could be seen by moss of Mohammedans collected outside. So I had no apprehension that by reason of the trial being held behind closed doors there would be the greater likelihood of the excitement of the Mohammedan population.

There had only been obstruction on the way when Abdul Qadeer was brought to Court and taken back to the Jail and there had been no violence before the 13th of July. Further the locality was in Amirakadal which is frequented by visitors including Europeans so I thought that the enquiry should be carried on in Jail. I had also in mind the demonstrations made at the Court. At the same time there had been no violence to raise an apprehension in my mind that there would be violence and an attack on the Jail on the 13th of July.

It is true that exciting speeches were made at the Jama Masjid and other mosques but this excitement had been going on for more than a month without leading to violence so far that is why I did not apprehend that on the 13th of July there will be violence.

Q. When on the evening of 12th July the Deputy Inspector General of Police and Pandit Sudarshan Koul, Assistant Superintendent of Police, informed you of the probability of an attack on the Jail by the Mohammedans did you take any steps to warn the Military or to arrange for a large force of Police at Jail at the time of the trial?

A. I did not because it was the opinion of the two Police officers that no action should be taken until this information of the probability of an attack on the Jail was duly verified.

It is not necessary to warn the Military until the Police declares its inability to cope with the particular situation.

Q. Did you on the evening of 12th of July enquire the strength of the Police guard at the Jail? Also how many men remained on duty at one time and would be available?

A. I did not but I knew that a Police guard was kept at the Jail. Both the Deputy Inspector General of Police and Assistant Superintendent of Police (name mentioned above) assured me that the Jail guard would be sufficient to cope with the situation and that if necessary extra Police could be sent.

Q. On the 12th of July did you tell the D. I. G. and A. S. P. to keep some particular Police officer on duty at the Jail so that in case of trouble immediate information may be sent to Police head-quarters in order to send extra Police to the Jail?

A. On the 13th of July at 9 a. m. when I phoned to the D. I. G. and he replied that the probability of an attack by the Mohammedans on the Jail was not verified I told him on the phone that inspite of want of verification a Gazetted Police Officer should be sent to the Jail to give information of trouble.

Q. When the D. I. G. and A. S. P. came to you at 1 p. m. did you ask them whether a Gazetted Officer of Police had been deputed at the Jail or not?

A. Yes I did. I was told that the Superintendent of Police had been deputed.

Q. Do you know when the Superintendent of Police reached the Jail?

A. I do not.

Q. Exactly at what time did you receive phone message of trouble from the Superintendent of Police who was at the Jail?

A. I cannot give the exact time. It must have been after 1 p. m. or 1-30 p. m. I remember, however, that it was after the D. I. G. and A. S. P. left me.

Q. Can you tell whether besides the permanent Police guard and the Superintendent of Police there was any additional Police at the Jail when you arrived at 1-45 p. m. immediately following the D. I. G. and the A. S. P.?

A. I have no memory of this because my attention was immediately drawn on arrival to a man lying on the ground and being fanned. I was informed that this man had been attacked by the Police and was about to die.

Q. Did you verify who the Mohammedan was?

A. I did not but as I entered the Jail this Mohammedan who was lying down got up and ran away and also the Mohammedans who were fanning him.

Q. How far was this man from the outer gate?

A. He was lying 10 or 12 yards from the outer gate.

Q. What is the outer gate of?

A. It is of wood. There is an outer wall where there is this wooden gate. The outer gate is kept open. The man who was said to have been hurt was lying between the outer wooden door which was open and the inner iron gate. This outer door is kept open. When I entered the outer wooden gate there were only this man lying on the ground and about four or five Mohammedans fanning him. The Mohammedan mob

had not entered the outer compound till then, but as I and the Police officers entered the compound some of the Mohammedans entered it. The D. I. G. and A. S. P. reached the same time that I did.

Q. How many Police men came in the lorry ?

A. I remember there were ten or twelve. I cannot remember whether they were all constables or whether some of them were Head-Constables.

Q. Were they all armed ?

A. Yes. When I entered the iron gate with the two Police officers the new police force remained in the outer compound. The iron gate was opened to permit our entrance. As I entered the iron gate I noticed the permanent Police guard on the left of the gate. So far as I remember they were about 20 or 25 of them.

Q. Were they armed ?

A. So far as I remember they were not armed. I did not notice any *lathis* in their hands.

Q. Are you one of the officers competent to visit the Jail ?

A. Yes.

Q. Cannot you remember whether the Jail guard is always armed or not ?

A. I have never visited the Jail, and never tried to ascertain whether the guard there is armed or not ?

Q. After entering the iron gate what steps did you take to pacify the Mohammedan mob ?

A. I was told by the Jailor and possibly by the Superintendent of Police also that Moulvi Abdulla and Pir Qamar-ud-Din Counsel of the accused Abdul Qadeer had been requested to go out and pacify the mob, but they answered that the mob was beyond their control and rather abused them of being Pandits themselves. I was also told the name of Mr. Ghulam Mohammad Vakil who was also requested to pacify the mob. Pandit Bhim Sain, Munsiff Magistrate and the Government Pleader L. Sunder Lal were also there and possibly they also informed me of the request made to Moulvi Abdulla and others.

Q. This is not an answer to my question. I particularly want to know what steps you took to pacify the mob because it may be stated for your information that I am anxious to discover whether you were justified in ordering firing at the mob ?

A. I understood that the mob would not be influenced by any official in the present temper and only by non-official agency could they be calmed. I had experience of the gathering of the mob outside the Hazratbal Ziarat that the mob collected there paid no attention to what I said or what the Police said.

I thought myself that the assembly was unlawful because an attack had already been made on the iron gate. I was informed of this attack. I was shown one hasp which had come out after the attack and I personally saw marks made on the door by the hammer of blacksmith putting another hasp. I was told that the Mohammedans had caught hold of the iron bars of the iron gate from outside and had shaken the gate and tried to climb over the bars to the room of the Sessions Judge who was holding the trial. The hasp had come out I was told during this violent shaking. I climbed and looked through the windows opening on to the outside. There was a crowd opposite the Jail enclosure

which is known as a Jail grove. There is a gate to that grove also. I noticed a man standing on that gate. I noticed that he was exciting the crowd by speech.

I enquired of the Jail officials and others what had happened in the beginning and they gave description. I questioned the District Superintendent of Police and the Jailor as to who were the persons who attacked the iron gate. They expressed their inability to answer the question. Abdul Karim and Habib Ullah, C. I. D. officers, were also there. I questioned them also and they also expressed their ignorance. This ignorance on the part of the C. I. D. officers struck me as somewhat strange. So I questioned them angrily how it was that C. I. D. could not find out the local men. When I asked them to point out the men they demanded police men may be attached to them to accompany them when they went out. Two C. I. D. officers, Deputy Inspector General and Superintendent went down. I saw them going towards the outer gate with some constables. They arrested four or five men there. I saw this. As this police force was bringing the arrested persons the mob started throwing stones from behind. The police men with *dandas* in their hands went up to the assistance of the police force which was bringing the arrested men.

Q. Who were these men with clubs?

A. In addition to the Jail guard there were 10 or 12 police men who came in the lorry. About 22 constables with clubs arrived at the Jail and also some police men armed with rifles, making up along with police men who had arrived in the lorry were 20. The mob started throwing stones at the police men with clubs also. I noticed one man wounded on the head enter the iron gate. He was groaning, had no turban on his head and his head was bleeding. He had a long tuft of hair. I was told that he was a police man. I ordered medical treatment for him. I was informed that the man was in a dangerous condition. So I requested Pandit Bhim Sain Magistrate to take down his statement. The police force managed to bring within the iron gate four or five Mohammedans who had been arrested after the wounded man entered the iron gate. I requested the Deputy Inspector General of Police to inform the mob that they had constituted an illegal assembly. The Deputy Inspector General of Police went out to the crowd and shouted out this order of mine to the mob. The mob did not disperse but intensified their attack with stones.

The police force did not stop at the iron gate but went forward also to disperse the mob. These police men got injured by the stones thrown at them. The crowd became more excited, entered the outer compound and kept on throwing stones. It is a hilly tract and stones are easily available there. S. P. and D. S. P. are the same person and Mr. Thapa is his name. When the police men were injured and stones were thrown at the riflemen also the S. P. told me that the situation was full of danger and order shall be given to the riflemen to fire. I did not agree and told him to drive away the mob by the use of *lathi*. He, however, replied that 10 or 12 police men have been injured, the police was therefore nervous and the situation demanded that there should be firing. I consulted the D. I. G. who gave the same opinion. I then told the D. I. G. to warn the mob that they will be fired upon. It seemed to me from the action of the mob that their intention was that the riflemen may drop their rifles. The D. I. G. told me in support of this idea of mine by a stone that the butt end of one rifle had been broken by a stone. The mob appeared to be so furious that in case they got possession of the rifles it was certain that they would fire at the police men and the officers inside the Jail and enter the Jail. Seeing the situation as described by me I ordered firing. I gave instructions that two shots should be fired in the air at the commencement. I was still in the upper room at the time. I gave further instructions that the fire should be aimed at the lower parts of the bodies. The D. I. G. conveyed the order to fire.

10 men fired at first in the air twice. Subsequently two more rounds were fired aiming at the lower parts of the bodies. The mob did not disperse and continued to throw stones even with greater violence. The D. I. G. who was down below enquired of me when I was upstairs what more was to be done and I ordered that there should be two more rounds of firing. I gave instructions that the subsequent firing also should be aimed at the lower parts of the bodies. After this stones stopped coming over. This stopped only for two minutes. After this stone throwing was resumed with greater violence. The D. I. G. was still down below and I ordered him to fire 3 more rounds at the lower parts of the body. The stone throwing did not stop and continued with equal intensity. After this I ordered the firing of 3 more rounds at the lower parts. After this firing stones stopped coming and the mob receded.

Q. Can you fix the time when the mob started receding?

A. I cannot remember the exact time but so far as I remember it was about 2-30 p. m.

I forgot to mention that at the time when the wounded constable entered the compound by the gate report was made to me that the Jail Police Line was looted and fired. Further report was made that the Jail Press was also set fire to. The officials of the Jail rushed towards the Press and put out the fire. The prisoners inside the Jail set up a clamour. The Jailor informed me that the prisoners inside the Jail were attempting to break open the windows and doors inside the Jail by shaking them. The Police Jail Lines are situated along the outer wall where I have said there is a wooden gate. It must be about 20 or 25 yards from the gate. I could not see the Police Lines from where I was, the sight was obstructed by trees.

About five minutes a quiet followed.

After this I was informed by some Police officer, I cannot remember who informed me, that the mob was preparing for third attack on Jail. By this time I had come down to the porch. I told the A. D. M. Ch. Bhagat Ram who was inside and the D. I. G. who was outside to go forward once again and push away the mob. I could not see the mob through the doors of the iron gate. My information was that the mob had collected at the Jail Police Lines. The Police went to the Police Jail Lines and pushed back the crowd with sticks and rifle ends but there was no firing?

Q. Did you send out any information during the riot?

A. Before the firing I sent information to the Palace where His Highness was in residence. Captain Faqir Singh, A. D. C., came to the phone and I informed him. After the mob was pushed away from the Jail Police Lines I again phoned the situation to the Palace. The phone was in order at the time at about 2-45 p. m. I learnt that the telephone wires had been cut. Before phoning to the Palace I tried to phone to Mr. Wakefield the Honourable Police Minister at his house and Brigadier Sutherland at his house. They were not found nor could I find Brigadier Onkar Singh at the Military telephone connection. The second time I phoned to the Palace the State Secretary Thakar Kartar Singh Ji spoke to me on the phone. I could not get in touch with Mr. Wakefield or the Brigadier. The time must have been 2-45 p. m. when the mob finally repulsed.

Ten minutes later about 30 men of cavalry arrived.

Q. According to your observation where did the mob go to?

A. When I went out and saw the burnt Police Lines I noticed two or three thousand of the mob on the hill-side of Hari Parbat. The foot

of Hari Parbat hill is about two furlongs from the Jail. About two thousand men I noticed collected in a lane leading to the city. They were shouting threats. The Police pursued this collection of men at the lane. After this pursuit the cavalry arrived.

Q. When you went out what marks did you observe of burning or attack ?

A. The shingle roof of the Jail Police Lines was burnt at one end. The boxes and *charpoys* belonging to the Guard had been thrown out of their quarters. There are two rooms in front of the Police Lines. The panes of the windows of these two rooms were broken. When I went inside the rooms I found the contents therein dispersed. At this place the Inspector Bisheshwar or Bishember Nath informed me that his mare was stolen by the mob. The fire engine had arrived and I saw men of the Fire Brigade on the roof. (NOTE.—The witness now says that the Fire Brigade had been phoned for when he heard of the Police Lines being set fire to). Inspector Abdul Majid of the Fire Brigade told me that three men of the engine were beaten and hurt on the way and were lying on the way from the fire station to the Jail.

I noticed a large number of stones lying on the ground in the compound of the Jail between the wooden and iron doors where the police had been stationed. I then went inside the Jail and found ten police men wounded, two of them I believe were Head-constables. The Medical officer informed me that two of the men were seriously hurt, one a Sikh and the other a Pandit and there was danger of their succumbing to the injuries. I was told of the cry of the mob when the Sikh was beaten that he should be killed if a knife was handy. The prisoners cried out loudly again. I did not go to the Jail Press to see what damage was done there.

Q. When you were in the Jail, did the mob succeed in coming up to the iron gate ?

A. No.

Q. Where was the Press situated relatively to the Jail prison ?

A. The Press is inside the Jail and what I was told was that it was set fire to by the prisoners inside and not by the mob outside.

Q. What further signs did you observe of damage done by the rioters ?

A. The outher wooden gate had been broken. The Police Guard told me that their property had been robbed such as cash, bicycles, clothes, beddings and utensils, etc.

About 3 p. m. Mr. Wakefield and Colonel Southerland arrived. Mr. Wakefield obtained the details of the occurrence from me and went round and examined the damage done by the mob.

Q. Were any of the mob killed by the firing and what happened to the dead bodies ?

A. I did not ontice any one being killed nor did I notice any dead body being taken away. I did not notice any dead bodies with the crowd collected in the lane as stated above.

Q. Could you see the firing ?

A. I was at the upper window when there was firing but I did not see anyone of the mob fall wounded. There was no dead body left behind anywhere within sight when I went out to examine the Jail Police Lines.

At this time the counsel for the accused Abdul Qadeer, Moulvi Abdulla and Pir Qamar-ud-Din were proceeding towards the city and someone warned me that they should not be allowed to go to the city for some time. So far as I remember Mr. Wakefield had arrived before then. I enquired what harm could there be in their going to the city and I was informed that Abdul Rahim son of Moulvi Abdulla was one of the agitators, so it was not wise to let Moulvi Abdulla go to the city. It was also told to me that when counsel arrived and some of the mob desired to enter the Jail with them, the counsel told the mob that they should not do so at that time, otherwise the counsel also will be arrested and the mob may enter when the Sessions Judge arrives.

I called the two pleaders back and requested them to wait till I allow them to go.

Military force had also arrived at the Jail before Mr. Wakefield and Mr. Sutherland arrived.

Q. Did the Military arrive before the mob was dispersed or after?

A. After.

I accompanied Mr. Wakefield under his instructions and had consultation with him. Mr. Wakefield deputed some of the military for the protection of the Jail.

Some cavalry with Brigadier Sutherland rode to the Jail while Mr. Wakefield arrived in the car. Mr. Wakefield directed Mr. Sutherland to go with this cavalry to the city to patrol there.

About 5 minutes before Mr. Wakefield arrived I had directed about 20 cavalry men to disperse the men collected on the Hariparbat. This was done. There was no mob either on the Hariparbat or in the lane when Mr. Wakefield arrived.

Mr. Sutherland requested the help of a Magistrate and I deputed Mr. Satya Lal with the Brigadier. Pandit Satya Lal was at the Jail during the trial as he was one of the witnesses in the case of Abdul Qadeer. Mr. Wakefield then ordered Pandit Bhim Sain to go in a lorry with some of the military infantry. At about 3-30 p. m. Mr. Wakefield left and I also left.

I came in a car to Amirakadal on my way to my house. I drove to Amirakadal *via* Dal-gate from the Central Jail and not by Maharajganj. Before reaching Amirakadal Bridge I received information from two men that Maharajganj Bazar had been looted. These two men were Hindus and I did not enquire their names. They said that property worth about two lacs was looted. They were shopkeepers of Maharajganj. The Deputy Inspector General of Police and the Superintendent of Police were in the car with me when I drove to Maharajganj. When we reached the house of Mr. Assadullah Advocate we met Mr. Wakefield coming from the opposite direction from the direction of Maharajganj. We stopped our cars and he informed us that Maharajganj had been looted. He also informed me that sufficient force of military had reached there. While my car was standing two men came weeping towards it. Maharajganj Bazar is about a couple of furlongs from Mr. Assadullah's house. These two men complained to me that their houses were entirely looted and every piece of contents taken away. They were Moulvi Assadullah's men. They indicated Mr. Assadullah's house and meant to say that Mr. Assadullah's house was looted. I enquired about Mr. Assadullah and they informed me that he had hidden somewhere in fear of his life.

Q. Did you see the house?

A. No.

I thought the looting probable because I had noticed that the present agitators were displeased with Mr. Assadullah at Hazratbal meeting. They had shouted that he was a traitor.

Subsequently some days afterwards he met me and on enquiry told me that only a few panes of glass of his house were broken and nothing had been stolen.

From there I went on to Maharajganj, the time then must have been about 4 p. m. I noticed that the shops had been looted and some persons were under arrest with some of the looted property and the doors of the shops were broken, goods lay about inside the shops and on the road. Maharajganj consists of a square. It is a market square entered by four roads. I went inside the square. The shopkeeprs surrounded me. Other men whose shops had been looted also ran up when they learnt that the Governor had come. Every man desired to take me to his own shop to show the mischief done. Bhagat Duni Chand and Karam Chand who had their shops in the market square told me that the loot commenced at 10 minutes past 2. They bore marks of injuries on their persons. I also noticed many other men who had injuries on their persons.

Q. How did they tell you that it was 10 minutes past 2?

A. They told me that they noticed the time to be 10 minutes past 2 when they wanted to phone and phoned. They said that a phone information of the loot had been supplied to all officers.

Q. What mark of injury did you observe on Duni Chand?

A. I do not remember marks of injuries on the person of Duni Chand. Karm Chand I noticed had a swollen ankle. One man, I cannot tell his name, he also appeared to be a Bhagat, had a swollen cheek.

I kept moving about inside and given instructions to the Police and the Military.

I came home at about 10 p. m. I cannot remember whether the Deputy Inspector General of Police accompanied me or not. I was summoned by His Highness to Ramnivas. The Deputy Inspector General of Police followed me soon after I arrived at the Palace.

Q. This finishes the 13th of July and what other occurrences of the subsequent rioting did you notice yourself? Did you go to Vicharnag?

A. I did not go to Vicharnag on the 13th. The same night on the 13th I heard that Vicharnag had been looted. I did not go there on that date. I did not see with my own eyes any other rioting than the one at the Jail.

Q. Did you go to Vicharnag subsequently and if so when?

A. I went to Vicharnag only yesterday or day before not earlier. I deputed other officers to go there.

Q. Did you go to Nava Kadal, Safa Kadal or to Naya Bazar where also it is stated that riot was committed?

A. So far as I know there were reports of firing from Nava Kadal and Naya Bazar and not report of loot.

Q. Did you get any report of the meetings from the Police?

A. Yes.

Q. Did you receive reports of seditious meetings referred to by you through the Magistracy or Police or both?

A. Both.

Q. There is a section of Police designated as C. I. D., are you acquainted with their proceedings?

A. No, the Criminal Intelligence Department is directly under the Inspector General of Police. If he choses he may give me any information supplied to him by that section. I have not so far acquainted myself with their proceedings.

Q. Was the condition of the city in Srinagar very much distrubed in the month of Jeth?

A. No. It was in the month of Har. Only one meeting took place in the month of Jeth and that too on the 26th.

Q. When you had information before the date of the riot why did you not take any preventive or punitive action?

A. I will prefer to answer this question in camera.

Q. Are you satisfied that the Police informed you of all the happenings in your District?

A. I am not satisfied. I prefer to state the reason for this disobedience also in camera.

Q. Have you any control over the Police?

A. I have no effective control.

Q. Under the statute are you the executive head of the Police or not?

A. As far as I know there is no Police Act in this State. I am concerned with Police only so far as peace and order had to be maintained. I do not think that I am the head of the Police of my division.

Q. Looking at a crowd of Kashmiris could you form an accurate impression of the classes of people?

A. Not always. I can however form some sort of impression from their clothes and general appearance.

Q. What sort of crowd was it that you witnessed at Jail on the afternoon of 13th July?

A. It was a crowd of labourers and petty shopkeepers.

Q. Did you know if any of the leaders or persons you heard preaching in the gatherings in the mosques were present?

A. I knew three leaders Abdullah, Abdul Rahim and Ghulam Nabi Gilkar but they were not seen there by me.

Q. Did you take any account of the cartridges after firing?

A. I know an account was made but not in my presence. I wish to state in camera the reasons why so many rounds were fired.

Q. According to you the firing at Jail took place between 2-15 and 2-30 p. m. and even after that there were various incidents which lasted for some time, may be half an hour. You were informed on reaching Maharajganj that the loot there commenced before 2-10 p. m. when phone messages were transmitted or attempted to be sent all over. Is it your opinion that the crowd at the Jail did not have anything to do with the looting at Maharajganj?

A. Yes, that is the opinion I formed and which I have already expressed.

Q. Were any persons in custody forcibly released by the mob that had collected there.

A. Yes. I was informed that four persons were so released.

(Sd.) TIRLOK CHAND,

Governor Kashmir.

Certified that the above statement was read over to the witness and was admitted correct by him.

(Sd.) RAM NATH SHARMA,

29th July 1931. *Secretary Enquiry Commission.*

ORDER.

The examination of the Governor is not complete. He is requested to appear in the Chambers of the Chief Justice at 10-30, day after tomorrow, the 29th July. Certain questions he desires to answer in camera. Those questions shall be put to him in the Chief Justice's Chambers, after which the Enquiry Board will come here for public examination.

27th July 1931.

WITNESS No. 2.

Colonel Gandharb Singh, Inspector General of Police, on S. A.

29th July 1931.

This is my written statement (Ex. 7).

Q. Your statement is a very vague one and does not state what you yourself actually saw. The enquiry will relate to what you yourself saw. Where were you on the 13th of July in the morning?

A. I was at home on the morning of the 13th. At 8 a. m. in the morning the D. I. G. who is a Mohammedan and A. S. P. Sudarshan Koul came to my house. They informed me that Mohammedans would collect at the Jail during the trial of Abdul Qadeer just as they collected at the Court during this trial on previous days. The crowd will also shout slogans "Long Live Abdul Qadeer". They, however, told me that the Mohammedans will not commit any wrong act. They further informed me that the usual Police arrangement will be made.

At 10-30 a. m. I went to Mr. Wakefield to talk over the matter with him.

Q. According to you who is the executive head of the Police, yourself or Mr. Wakefield the Minister?

A. Theoretically I am the executive head of the Police but so far as my experience went all powers centred in the Minister.

Q. You found Mr. Wakefield at home?

A. No. I was informed that he had gone out. I did not discover where he had gone to.

Q. I put to you that you went to Mr. Wakefield to obtain his orders?

A. This is not correct. I went to consult him and would myself have acted after consultation.

Q. What did you do when you found that Mr. Wakefield was not available?

A. I remained waiting at his house till 12-30 p. m. After waiting so long I returned to the Inspector General's office. The office is situated in the Shergarhi. I heard there that there was going to be a meeting of Ministers at 1 p. m. and possibly Mr. Wakefield would be there. I reached my office after enquiring whether Mr. Wakefield was at the Council Chamber. At 1 p. m. the D. I. G. came to me. He was accompanied by a Police officer. I cannot tell whether he was the D. S. P. or the A. S. P. I questioned the D. I. G. what was happening and he replied that he had made due arrangements at the Jail and there was no necessity for any further action. They left.

Between 2-15 and 2-30 p. m. I received a phone message from the Jail from the D. I. G. He told me that there had been an attack on the Jail. That only a little ammunition remained with him. That the Jail was surrounded and there was a danger of the mob entering the Jail unless help arrives. At the end of this information I could not get the telephonic connection. It seemed to me as if the telephonic connection had been broken. I then phoned to the Military Chief of the Staff Brigadier Sutherland. I phoned to his house but he was not there. I then hurried to Colonel Rahmat Ullah, General Staff Officer. His office is also situated in the same enclosure where my office is. I told him to get cavalry and regiment ready promising that I shall soon obtain orders of the superior officer. I then phoned to the Minister, he was not at the Council Hall. I phoned there expecting him to attend the meeting of Ministers. I then drove in my car to the Police Lines. The Police Lines are situated in Batmaloo. The Police lorry was not there. It had already left. I sent for three hired lorries from Amirakadal. I sent off to the Jail 25 or 26 armed policemen in two lorries. I then phoned to Brigadier Sutherland again. The time must have been 2-45 or 2-50 p. m. Then Colonel Sutherland replied that the cavalry was ready and he would join it and take it from Drugjan to the Jail. At that time a phone message arrived from Maharajganj. Some one said over the phone that Maharajganj was looted and the mob was proceeding towards Shergarhi. In my opinion the time then was 2-50 p. m. At that time the entire armed Police in the Lines was exhausted.

Q. How many men of the armed Police you have got?

A. Usually 25 men are kept ready. Remaining arms are distributed to the other policemen if necessary. There was no armed Police available at the time. I found a balance of ten policemen in the Lines at the time. I deputed them to go and remain on guard at Kanikadal. I armed them with *lathis*. I took the ten men to Kanikadal in my car. I posted them at Kanikadal. A certain Bhagat whom I can recognize but his name I do not know informed me that 10 or 15 shops were looted at Maharajganj. 40 or 45 men were wounded. I cannot say that they were Hindus or Mohammedans. I informed him that I would send military aid there. I knew that cavalry and infantry had collected at Drugjan so I went there on my way to the Jail. There was no one there and I heard that cavalry and regiment had left for the Jail. I therefore proceeded to the Jail. When I reached the Jail it was about 3 p. m. may be 3-15 p. m. Mr. Wakefield was already there; I found that he had just preceded me. I was told that nine policemen had been injured. I saw only two injured policemen. They were standing outside the Jail Police Lines. I told Mr. Wakefield that Maharajganj was looted. I can not tell whether he had that information earlier or not. He ordered me

that I should make arrangement for the conveyance of two hundred regiment men to Maharajganj. I went to Badamibagh from the Jail in my car. There were many officers there. I told Colonel Joginder Singh to collect his men quickly. Two lorries were waiting at that time. Men were put in them and the lorries were sent away. I cannot tell how many men were sent in the lorries. I phoned to a Transport Company at No. 172 to send 4 or 5 more lorries. As I did not receive any answer on the phone I drove again in my car to Amirakadal. I took 6 or 7 lorries with me to the Regimental Head Quarters. I went to Maharajganj with the Military men in 3 lorries.

Q. When did you reach Maharajganj ?

A. I reached at about 4-45 p. m. to Maharajganj. The loot was not going on at that time. The loot was finished.

Q. What marks of loot did you notice ?

A. I went and stood at the Post-office. I got out of my car. The Post-office is outside the square of Maharajganj market. At that spot I noticed that the shops had been broken into. The doors of the shops were broken and the contents were spread about. There was a very large crowd and very great noise. I was not able to proceed any way from my car.

At that time a loud noise came from the river side below. One Tehsildar (possibly Noor Shah) and two or three policemen whom I did not know brought 2 or 3 Mohammedan Hanjis with a bundle of pieces of new cloths. I pushed my way through the crowd. I noticed more shops which were broken and could not see any contents. There was no one inside these shops.

Q. Did you enter in any of the shops to find out whether any loot had taken place in them ?

A. No. As I went further I saw a motor car which had been broken with stones. The motor car belonged to the owner of the shop who was there. I did not enquire his name. The owner who was a Hindu, though I did not enquire his name, told me that by reason of the car his shop was saved and also a Mohammedan servant of his who was sitting there had saved the shop from loot by the Mohammedans. Altogether I noticed 30 or 40 shops looted. The boards of the shops were broken. I did not notice any goods stored inside and some of the goods lay scattered about. Some of the shops in between were closed. At this juncture Brigadier Onkar Singh also arrived, also Colonel Jogindar Singh.

Hindu shopkeepers who had been looted kept on shouting that if searches were made the properties would be discovered from such and such places. My further way was barred by the crowd. A cry was then raised that stones were being thrown into a lane closeby. I forgot the name of the lane. It was stated that all the looted property was collected in the houses along the lane. Some military men were sent there. Colonel Jogindar Singh accompanied them. The crowd was mostly of Hindus so far as I could make out. It got dark at the time I was not able to get as far as the lane indicated. Colonel Jogindar Singh came back and said that big stones were being thrown. He told me that he himself had been struck twice. Both the Police and Military men at this time brought in men who had been caught in possession of looted property.

It was dark and the electric light had failed. The light came after considerable time. I suggested to the Military officer to depute military men at certain spots and this was done. I then got into my car and took the round of the city. I had also met the D. I. G. and A. S. P. Pt. Sudarshan Koul at Maharajganj. I spent the whole of that night in the city.

On the night between 12th and 13th July when I returned home from a dinner party my sentry informed me that the D. I. G. and the A. S. P. had been there at 10 o' clock to see me. I got this information at midnight. I phoned to the D. I. G. but there was no response.

Q. Why did the D. I. G. not follow you to the place where you had gone to dinner?

A. I did not know at the time. I cannot tell. Next day when the D. I. G. came he told me that he had come over night at 10 p. m. to give the same information that there would be a crowd at the Jail and slogans would be shouted but nothing more would be done by the crowd than what was done at the Court.

Q. If the message was not of universal happening. Did you ask him what the reason was for his visit at the hour of 10 at night?

A. He then said that there was some news that an attack was to be made on the Jail but that had not been verified.

Q. I desire to know what the Police means by such words as *Janch* and *Tasdiq* which are ordinary words connected with judicial administration? Have you any idea?

A. It is necessary even for the Police to verify news and not to take any action on rumours or whispers. I think that when the Police hears any rumours or whispers no action should be taken unless those rumours and whispers are verified or supported.

Q. I want to put it to you very clearly; what was the state of information of your mind, that is what was your idea as regards the condition of Mohammedans at the time on the 12th of July?

A. My state of mind was that the Mohammedans would collect in crowds and shout slogans but would not take any active part such as an assault or a riot.

Q. Is there a Department of Police known as the C. I. D?

A. Yes.

Q. Are you the head of the C. I. D. also?

A. Yes.

Q. On reading the various C. I. D. reports made to you what did you gather about the political situation and the temper of the Mohammedans?

A. The reports were certainly of a nature to raise an apprehension in my mind that even a riot may be committed and to that purpose I remember to have written a letter to my Minister Mr. Wakefield on 22nd June. The witness further explained; by riot I mean apprehension of communal riot, that is a riot between Hindus and Mohammedans.

Q. What did you intend by riot? I would put it to you that the Mohammedans are in a large number and not very rich and the Hindus are rich and not fighters. Did you think that the riot would be committed such as a fight with lathis or fists between Hindus and Mohammedans?

A. Yes, that is the sort of riot I apprehended and not a riot in the form of one community looting the property of the other.

Q. You said both the D. I. G. and the A. S. P. saw you on the morning of 13th July. How do you account for the A. S. P. coming along with the D. I. G.?

A. The A. S. P. is in charge of the city. He got the information regarding the probable gathering of the crowd at the Jail and communi-

cated to the D. I. G. who brought the A. S. P. along with himself to me.

Q. I put it to you that if the facts have been correctly disclosed before the Board the A. S. P. did not give you the full information that he had, and may be not even to the D. I. G. ?

A. I am not satisfied of that though it does appear strange that both these officers should have come to my house on the night of 12th July and again on the next day to give me only the information which I have had recorded above.

Q. How is it that the A. S. P. accompanied the D. I. G. and there is no mention made of the S. P. having been informed of this matter ?

A. S. P. must have been informed.

Q. How is it that you made no reference of any meeting or made any consultation with the D. M. on 13th July ?

A. I met him only at one place, that is the Jail, but he was very busy.

Q. Do the Police officers look upon the District Magistrate as their executive head and is the Police force under his general control and direction ?

A. Yes.

Q. Did you witness any act of fighting or shooting ?

A. No. On the 13th and 14th I went round about the city often. On the 15th while I was returning from Pampur and I was at the lorry stand on the other side of the Court I heard that there had been some firing and cavalry had gone at a canter. This was at about 9-30 a. m. On enquiry I discovered that the firing was at Nawa Bazar. I drove there. A Military Guard was patrolling there. There were five or six military men. I questioned the guard. I was told that it was another patrol who had fired. While I was there Nawab Khusru Jung and Brigadier Sutherland arrived. I cannot remember whether Mr. Wakefield came there or not. While I was there a dead body arrived in a lorry. It was the dead body of a Pandit who had been wounded on the 13th. In the meantime a man who was wounded in the foot arrived in a Tonga. He was a Mohammedan. He had a bullet wound in his foot. He refused to go to the Government hospital. He expressed the apprehension that the Pandits would kill him at the Government hospital. He was willing to go to the Mission hospital. Traffic Inspector Patel took him in a car to the Mission hospital. A lady doctor who lives there came out of her house and said she could recognize the soldier who fired. She took out one of the soldiers present there who was not on patrol duty at the time of firing. Guard there had clean rifles. No shot had been fired. I left Nawa Bazar to enquire which patrols fired. I met a Pandit in a Tonga. The Pandit was Gwasha Lal, B. A., who had a cut on his waist. He had other wounds also. We went to the Head-post of the Detachment. There it was discovered which patrol had fired. It was ascertained which soldier had fired. Officer-in-command of the Patrol said that seven rounds were fired. One Mohammedan was killed and two were wounded.

Q. Do you know how many were killed during these days of riots and how many wounded ?

NOTE.—The Chairman's information is that 14 were killed altogether, 11 at or about the Jail, one in Nawakadal and one at Nawa Bazar on the 15th. The witness' information is that 12 Mohammedans were killed during the riots. 16 were wounded by gun-shots.

Q. How many Hindus were killed and how many wounded during riots ?

A. Nine Hindus received injuries, out of which two died. So far as I remember the two men were injured between the second and third Bridge.

Q. How many of the Police were wounded ?

A. 11 Police-men received injuries more or less severe.

NOTE.—The witness has been requested to enquire and find out how many Mohammedans had been killed in the riot approximately and in what different places and the information be sent to the Commission. Names of the dead persons if ascertained shall also be stated.

Q. You have stated in your statement that mob had "already" collected at the Ganj. Are you of the opinion that the mob that looted the Ganj was a crowd different to that which had gathered at the Jail ?

A. Yes.

Q. You stated that on 13th July while you were still in Maharajganj Bazar, certain men of the Military and Police brought certain persons with looted property, but no man of the Police or Military told you that he actually saw any of the arrested men actually looting any of the shops in Maharajganj Bazar ?

A. Nobody told me that he had actually seen any of the arrested persons looting the shops. But the property had been recovered from them at the information supplied by certain shop-keepers, in their boats.

Q. Were you able to find out that on 13th July when you were in Maharajganj Bazar, the total value of the property which had been alleged to have been looted there ?

A. No, I could form no idea about the value of the property. All sorts of information was given and it was very difficult to form an exact idea.

Q. When you arrived at the Jail on 13th July did you see any dead body or wounded persons there ?

A. No.

Q. Did you see the District Magistrate and the Deputy Inspector General of Police there at the Jail on 13th July ?

A. Yes.

(Sd.) GANDHARB SINGH,
Inspector General of Police.

Certified that the above statement was read over to the witness and was admitted correct by him.

NOTE.—Ex. 54 statement of dead and wounded was sent by the witness on 14th August 1931.

(Sd.) RAM NATH SHARMA,
Secretary Enquiry Commission.

WITNESS No. 3.

Shaikh Aziz-ud-Din, D. I. G., on S. A.

29th July 1931.

This is my statement (Ex. 9).

Q. Did you know on the evening of the 12th of July that Abdul Qadeer's trial was to continue in the Jail next day?

A. Yes.

Q. What was the state of your information on the evening of the 12th?

A. On the 12th of July before the Assistant Superintendent of Police came to me I had no apprehension that there would be any active violence at the Jail.

Q. Had you any information of what the crowd did when the trial was being held in the Court?

A. Yes I knew that large crowds collected and shouted slogans both in Court and outside on the road.

Q. Did it strike you when the trial was ordered in the Jail that by reason of such trial an assault would be made by Mohammedans on the Jail?

A. It did not strike me in that light. It was to avoid crowds that the trial was ordered in the Jail.

Q. Was it your opinion that crowds of Mohammedans will not collect at the Jail by reason that the trial being held in Jail?

A. At 10 p. m. on the night of 12th of July the Assistant Superintendent of Police Pandit Sudarshan Koul came to me to inform me of the details of an investigation of an occurrence on the Bund. He after telling me of this investigation informed me that according to his information Mohammedans will collect at the Jail at the time of the trial of Abul Qadeer next day. He said that he had further information that the Mohammedans were preparing for an attack on the Jail though that information was not duly verified.

Q. What is the difference between information and information verified according to police nomenclature?

A. A *Tasdiqshuda* (verified) information is that of which there is any *haqiqat* (truth) and unverified information is that which is based on rumour or what a person who cannot be relied upon may have said.

Q. Did you enquire the source of his information?

A. The A. S. P. told me that he had heard it in passing from the constables or somebody else. He did not tell me the details at the time. He said that he would verify the information and then tell me the details.

Q. The question is again repeated to you whether at the time when the A. S. P. spoke to you did you feel that he was concealing something from you?

A. I did feel suspicious either that he was saying something which was not of his own head or he was trying to conceal definite information from me.

I considered the matter to be of importance so I went with him to the District Magistrate (Governor). This was after 10 p. m.

Q. As D. I. G. are you in charge of the Police of the entire Province?

A. Yes. There are 2 Police Districts under me and two Superintendents of Police. Mr. Gopal Ram Thappa is the Superintendent of Police here.

I narrated the information which the A. S. P. has given me to the Governor. He said that after the A. S. P. has verified the information and if there should be proper verification I, Governor and

I. G. P. will go to the Political and Police Minister and obtain help from him.

Q. Did you specifically tell the Governor that he should take no action until this information was verified ?

A. No, I expressed no such desire to him. From the Governor's house I and the A. S. P. went to the house of the I. G. P. He was absent. He was dining elsewhere. I told his orderly that when the I. G. P. returns he should phone to me. No phone message came to me at night.

At about 7 a. m.–now it is the 13th of July–I phoned to the A. S. P. I questioned him what was the result of his enquiry as he had promised to verify the information which he gave me the day before. He replied that he had deputed his men to enquire about the matter. They had not returned and as soon as he received information he would communicate it to me. About half an hour later the D. M. phoned to me. I communicated to him the information which I had. The I. G. P. phoned to me and I gave him also the information which I possessed.

At about 8 a. m. the A. S. P. phoned to me that there was no verification of the intention of the Mohammedans, which was apprehended, of attacking the Jail. I conveyed this information to the District Magistrate by phone. I also told him that when there has been such remour it would be advisable to send policemen, also armed policemen, to the Jail in addition to the Jail Guard. He agreed. I then went to the house of the Inspector General. The A. S. P. also came there. All the information was given to him and he was told what police arrangement had been made.

Q. What arrangement did you make?

A. I ordered 44 policemen with five Head-constables and two Sub-Inspectors and one Inspector to proceed to the Jail. Out of the policemen 22 were armed and the rest had clubs. This force left for the Jail at about 12-30 p. m.

Q. Why did you depute the force to go to the Jail so late?

A. Because the information I had received was that the trial was to commence at about 1 p. m.

I did not give this order before going to the house of the Inspector General. I simply told the Inspector General what I proposed to do.

Q. Can you not have issued this order without the consent of the Inspector General?

A. I could have given such order.

Q. Why did you not give the order before going to the Inspector General?

A. It did not take me long to go to the house of the Inspector General. I gave the order at 9 a. m. The order was given to the Line Officer by telephone. His name is Th. Sham Singh. I phoned this order soon after 9 a. m. or a little before it. The I. G. P. lives close to my house.

Q. Why did the Line Officer delay in sending the force for so many hours ?

A. I cannot give any reason. At about 11 a. m. I went to the Police office. There afternoon I received informatiom that about three thousand people had collected at the Jail. The D. S. P. Mr. Thappa informed me orally. I ordered him to go to the Jail and keep proper arrangement there. I myself went to the District Magistrate. The A. S. P. also came along with me. I went to the office of the Governor

and told him about the crowd. I also informed him or the additional force which I had ordered to go to the spot. I enquired on the phone from the Police Lines and was told that the extra force had left. The Governor told me that there were Magistrates there already. I had better go there and if it was found necessary he may be phoned for. I and the A. S. P. started for the Jail. We drove in a car. I saw a large crowd at the outer gate where there is a wooden door. There was also a crowd in the grove opposite. About seven thousand Mohammedans had collected there. The D. M. arrived almost simultaneously with me. The 44 constables and others had already arrived and were inside in the compound. I was delayed about 15 minutes on the way to get petrol. I was surprised to see the Governor arrive at the same time as I did when he had told me that he would wait for information from me before starting for the Jail.

Q. The Governor stated about a lorry with policemen meeting him on the road as he drove to the Jail. Do you recollect whether any lorry with policemen arrived at the Jail after you did?

A. I saw that extra policemen there but I cannot tell whether all the 44 were there. It is possible that I may have seen some only and the rest may have come by another lorry after I arrived and I may not have noticed their arrival as I was engaged in talking to the Governor and others immediately on arrival.

Q. What is the strength of the policemen at the Jail?

A. Hundred policemen are deputed at the Jail. They are under one Sub-Inspector. Out of the 100 policemen 10 are Head-constables.

As a rule, 19 men are on duty at one time. There are 25 rifles supplied. The rifles are muzzle-loaded, very old and they cannot fire. The 19 men were on duty. Some are on duty inside and some outside. I had previously phoned to the Jail Sub-Inspector also that in addition to the men on duty the rest also should be in readiness by reason of the trial. When I arrived the full strength of the Jail guard was present. Only about 3 were off duty.

Q. Then I take it that when you arrived you had within control 22 armed policemen, 119 policemen with *dandas*, 5 Head-Constables, 2 Inspectors, and one Sub-Inspector?

A. The policemen at the Jail had not even *dandas*.

Q If the policemen at the Jail had not even *dandas*, are they not supposed to put down disturbance among the prisoners?

A. Such is the case but no proper arms are supplied to the policemen at the Jail for the purpose.

Q. Then tell me according to your reckoning what effective Police force was at your disposal when you arrived?

A. Out of 49 men, 22 were armed and 27 had clubs. The Sub-Inspectors had revolvers. The Inspector also had a revolver.

Q. Then I put it to you that the Jail guard was not a force you could rely upon at a pinch?

A. Those men of the Jail guard had small clubs. All the policemen of the Jail guard had also fallen in outside the iron-gate. They were all alongside the iron gate.

The A. S. P. was with me and S. P. was there before I arrived. The armed policemen and those with clubs were in a line between the wooden gate and the iron gate. It was somewhere there that I met the D. S. P. and the Magistrate with two or three men.

Q. Why did you not follow the Inspector General of Police to the place where he was dining on the night of 12th of July when you had important information to convey to him on that night?

A. The orderly did not tell me the exact place where the I. G. P. was dining.

I continue my narrative of the occurrence after my arrival at the Jail. In the compound I met the S. P. and other officers. When I arrived and got out of my car none of the Mohammedan crowd was on the other side of the wooden gate. I remember this well because as soon as I got down I saw the crowd and told them "you *kambakhts* what are you doing here in such a large crowd, you had better go away". The S. P. told me and the District Magistrate what had occurred before we arrived. He said "the mob had attacked the Jail, they attempted to break the iron gate at the entrance and they broke the iron hasp". He said that the hasp was broken. What he meant was that the iron turning of the hasp outside had been broken and therefore the hasp came out. We went on talking and thus arrived at the iron gate and I saw the iron hasp. When I saw the hasp it was still attached to the iron gate from inside. It appeared to me that the outer hinge of the hasp which came out had been broken. My impression was that either the gate had been violently shaken or the outer part of the hasp had been knocked with force. So far as I remember no mention was made of knocking on the gate with stones. What was stated was that the crowd pressed on the gate. I think that by the application of great pressure also such damage can be done. The District Magistrate, the Additional District Magistrate, the City Magistrate, the City Munsiff, the Sessions Judge, I and the A. S. P. then all went upstairs in the office. The Sessions Judge had arrived before I did.

Q. When you got out of your car did you ask the crowd for what purpose it had collected there in such a large number?

A. No, I did not. At the same time I remember hatt I confronted them and they ought to have understood by my exclamation that I wanted to know the purpose of their meeting together. None of them, however, told me why they had collected there.

Then we all went into the same room above the gate. There is a window in the room from which the outside can be seen. The District Magistrate started enquiring the details of the attack. The S. P. also came upstairs. The Jailor and others present at the time narrated the occurrence.

Q. I put it to you that it must have struck you in regard to the description of the crowd that the mob ought to have been within the compound of the Jail and you found no men of the mob at all within the compound. Did you find out what was the reason of the mob clearing completely out of the compound after coming up to the iron gate of the Jail?

A. Yes, I understood the reason from the description given by the Jailor and others. It appeared that the Jail guard pushed the mob out beyond the wooden gate.

The Governor enquired whether any of the men who had actually attacked the iron gate had been identified. Every one denied. Two C. I. D. officers were also in Jail below outside the iron gate. They were called to the room. The District Magistrate pointed out to them that they were local men belonging to the C. I. D. and enquired whether they had identified any of the attackers. They also denied this at first. These were Abdul Karim, Inspector and Habib Ullah, Sub-Inspector. The District Magistrate was then stern and said he could not believe their ignorance. They then said "we shall try and possibly identify the man". The D. M. ordered the C. I. D. people, S. P., and other policemen to arrest the men.

Q. I put it to you that in ordinary circumstances such an order would be provocative of riot when an excited mob was collected in the ground and the order was to arrest some of the number by force. What did you think of this order?

A. The District Magistrate was a superior officer and his order had to be obeyed.

Q. That is not my point, I desire to know what you thought of the order?

A. At such a time I agree with the point of view put by the Chairman that it was not a desirable order to arrest some of the crowd when that crowd was in such a state of excitement. Such a thought had struck me at the time.

Q. What happened then?

A. The District Magistrate directed me also to help in the arrest. I followed the Police party.

Q. Only the Police party went out to arrest. Do you remember of any of the Magistrate present went out to arrest?

A. So far as I remember, none of them did. I took along with me policemen with clubs and some of the Jail-guard. I did not take any of the armed police. I deputed at that time a Sub-Inspector Sultan Ali in command of the armed guard. The crowd even at that time was at the wooden gate and had not proceeded beyond. When we went on the mob receded. We however arrested five men out of the crowd.

Q. Did you arrest five men as recognized by the C. I. D. officers as having taken part in the assault at the iron gate?

A. There was no specific recognition by the C. I. D. "These were the men" said the C. I. D. officers pointing to that crowd and the five men whom we could catch hold of were arrested.

We brought the five arrested men into the compound. The mob which had dispersed into sections collected again and stood at the wooden gate. They started throwing stones.

Q. I wish you to remember particularly whether during the time of your getting out of the car and this arrest of five men did you notice any stone throwing?

A. No where. The mob started throwing stones for the 1st time then. The place is a rocky one and there are stones lying on the ground and there are walls out of which stones can be taken. The party above, the District Magistrate and others then came down and stood behind the iron gate. I took the five prisoners inside the iron gate. The Police force remained outside.

The stone-throwing grew in intensity at this time. At this juncture one of the extra constables was seriously injured. I cannot tell where he was standing when he was injured. I saw him when he was brought inside the iron gate. His name is Gopi Chand Pandit. (NOTE.—He will be called as a witness.). His head was broken and he was bleeding profusely. On seeing this injured constable I came out of the iron gate. On going out I noticed two or three other constables injured. The mob advanced two or three paces beyond the wooden gate and threw missiles from there. I noticed that the stones were aimed at the policemen, and not at the gate with a view to break it. The gate was much farther from where the crowd was and the policemen. The District Magistrate was on the other side of the iron gate at that time. He told me, "Sheikh Sahib, proclaim the crowd to be an unlawful assembly and direct it to disperse.".

Q. Did you suggest to the District Magistrate that you were only a Police officer and there were so many Judicial officers and it would be better if one of them came out and made the declaration?

A. No, I advanced three or four paces, raised my hands, and shouted to the crowd, "You are an illegal assembly. Disperse." My voice was not likely to carry because there was a great din and noise made by the crowd. At this juncture the District Magistrate and his party went upstairs.

Q. At this juncture also do I take it that no Police officer nor any of the Magistrates tried to enquire of the crowd what its object and desire was?

A. Stone were flying and no one could go near. No one put such a question at that time. The mob would not have listened. The stone-throwing grew more intense. Two stone went over my head and did not hit me. I was in front and my Superintendent Police behind. He looked up at the Governor above and said, "There is danger of rifles being snatched. The policemen are being wounded and the mob is getting bolder and the stone throwing more intense". He suggested that firing should be ordered.

The District Magistrate questioned him from above. I replied, "You are above and could get a better view of the situation. The situation is undoubtedly delicate". At this juncture the Sub-Inspector received a stone on his chest. He rested in the Governor's car for a bit and came out soon after. The Sub-Inspector's name is Saaf-ud-Din. I then said to the District Magistrate, "The situation is undoubtedly critical and if you also agree, give me order to open fire".

He then told me to inform the mob that fire would be opened on it unless it dispersed. I issued this order but it is not likely that in all the noise made by the crowd this was heard. Some of the mob had at this time advanced within the wooden gate. The whole mob had not entered the compound at that time. The D. M. then directed me that two rounds should be fired by one rank in the air. One rank meant ten men. Two ranks of ten each remained on firing duty. I conveyed the order to the Sub-Inspector incharge and two rounds were fired by ten men in the air.

The mob continued to throw stones as before; so I looked up again at the D. M. The D. M. ordered me to fire two rounds below the waist. He lifted up two fingers also to show to me. I issued such an order. Two rounds were fired by one rank. I cannot say whether anybody was hit. The firing had no effect on the mob which continued to throw stones. The D. M. ordered the firing of two more rounds by one rank. The same direction was given to fire low. The firing line was between the wooden gate and the iron gate as I indicated yesterday along the line marked Lamp Post on the map marked Ex. 8. The last man on the line must have been 15 paces from the crowd. The main file did not shoot straight but was left inclined towards the mob at the wooden gate. The mob at the wooden gate stopped throwing stones, so I got the impression that this firing was effective. About a minute and half or two minutes later the mob advanced with greater fury. After the last of these firings I did not notice any one of the mob falling wounded.

Buckshot was fired. The crowd at this time appeared to me to be larger. Either there had been an addition to the crowd or when I arrived the crowd was broken up in sections and had collected together at this time. The crowd entered four or five paces inside the compound and continued to throw stones. The D. M. then ordered that three more rounds should be fired by both ranks but below the waist.

Both ranks were in a file at the place already indicated by me. I issued this order but that firing also had no effect and the crowd did not disperse. Even at this time I did not notice a single man of the mob falling down.

I cannot be certain whether any one was wounded. It is quite possible that before I could see a wounded man fallen he was dragged behind by his associates.

Again the firing by both ranks of three rounds was ordered. After this the crowd dispersed. Even then I did not notice any one falling down dead or wounded. Subsequently I heard that the Police Minister saw 9 dead bodies in the mosque and two were subsequently taken there. At this time I saw smoke coming out from direction of the Police Lines attached to the Jail and a cry was also raised that Police Lines was set fire to. There was also a cry that the Police Line was being looted. The D. M. and his party came down from the top at this time. So far as I remember but I am not certain, they did not come out of the iron gate. The D. M. ordered me and to A. D. M. to disperse the crowd from the Police Lines. I took some policemen and went there. The mob was not large there. The property had been thrown out from inside the rooms of the Police Lines. When I attacked the mob receded and went inside two lanes opposite the Police Lines. They turned back and stopped as we attacked them crying "Allah-o-Akbar", "Islam Zindabad". Out of the crowd we caught two and three at a time and as we caught, the crowd receded again and then again faced us. In this way we arrested 27 men. None of them was wounded. I posted policemen along the compound to resist a fresh attack. At this time the cavalry and military arrived.

The Police Minister Mr. Wakefield and Brigadier Sutherland also arrived. Brigadier Sutherland came riding with his cavalry and the Minister came in his car. I and A. D. M. narrated to him what had occurred. The cavalry and the regiment of which the men were brought in lorries arrived after 2-30 p. m.

Q. The Inspector General has stated that he sent a lorry full of policemen from the Police Lines. When did that arive?

A. I am certain that these policemen arrived after the firing was over and possibly they arrived after the military when I was fixing pickets. I cannot remember how many men were sent by the I. G. P. because I was very busy at the time. Mr. Wakefield and Brigadier Sutherland went inside and saw the injured and also issued orders to the Police and Military.

At 4 p. m. I drove away from the Jail with the Governor.

Q. Did you hear at the Jail that Maharajganj was looted?

A. No.

Q. Did you meet the Inspector General of Police at the Jail?

A. Yes.

Q. Did he say anything about the Maharajganj Bazar being looted?

A. I don't remember.

Q. Did Mr. Wakefield say anything about the looting in Maharajganj Bazar?

A. No.

Q. Can you now state where the riots took place first whether at Jail or Maharajganj Bazar?

A. Yes. Both were almost contempraneous.

Q. Did you ever count the empty cartridges at the Jail?

A. Yes. I ordered the Sub-Inspector incharge to count them and report. He reported that 180 rounds had been fired.

Q. What was the number of persons found to have been injured by gunshot wounds?

A. I have not got the complete list yet. It is reported that 9 persons died the same day. According to one report the number of wounded persons is 46 of whom 30 were treated as out-door patients. According to another report the number is so large as 96, and according to a third report the number is between the two previous reports. I am not in a position to state definitely what the exact number is. Out of wounded persons 15 have been arrested. (To Chairman) There was one wounded among the 27, I arrested on the other side of the Police Lines. Subsequently 15 wounded have been arrested.

I had a talk with the Inspector General of Police at the Jail. I returned from the Jail in the car of the District Magistrate. We first heard the looting of Maharajganj Bazar somewhere near Amirakadal. I went there and found that loot had taken place. Several shops were empty and some goods were found scattered hither and thither. I also saw some persons who had been wounded. The Military had arrived there. The Police and Military arrested a very large number of persons there. All who were suspected were arrested whether they were in possession of stolen goods or not. A good many passersby were also arrested. The number of arrested persons swelled up to 340.

Q. How many policemen did you see wounded before you left the Jail?

A. 30 policemen were wounded; five or six received grievous injuries and the rest simple. No one has died from the effect of the injuries. There was medical examination of those more or less seriously injured. The number was counted subsequently. The injured persons declared their injuries and it was thus discovered that 30 have been wounded. When we reached Amirakadal in the Governor's car we heard news of the looting of Maharajganj. I have already stated what I saw at Maharajganj.

Q. After how many days did you go to Vicharnag?

A. Possibly four or five days later. I was shown so far as I remember 8 houses and 7 shops which were alleged to have been looted.

Besides these houses and shops the Hindus pointed out to me, three or four Mohammedan shops which looked as if they were looted and it was explained that the Hindus had looted those shops. I found Hindus there and no Mohammedan came forward. Looking on the shops and houses I gathered from the appearance of the spot that loot had actually taken place. No case of arson was brought to my notice from Vicharnag. I was shown out a burnt heap and was told that books and documents were burnt there. The Hindus told me this at the spot that they had suffered a loss of about three or four lacs. It was said that Pandit Kailash suffered a loss of two and a half lacs. I saw a broken iron safe in the lane and was told that this had been taken out from Pandit Kailash's house, was broken and its contents taken away.

I saw about 50 or 60 shops in the Maharajganj Bazar looted. The Hindus said that they had suffered a loss of about 10 lacs.

Q. In his written statement the Inspector General of Police has given the figures of the value of the property looted at Vicharnag and Maharajganj Bazar to be one lac and seven lacs respectively. Are these figures based on the information supplied by you?

A. No.

The witness added that undoubtedly some houses looked to be looted. One man I remember shouted out at Amirakadal that he

had suffered a loss of 3 lacs ; as I passed in the bazar with the Governor he said that he had suffered a loss of 3 lacs of rupees. When I met him subsequently on the second or third day he declared that he had lost nothing and only he had been beaten. I can give his name later. He is a partner of a Mohammedan firm.

NOTE.—The witness is requested to find out the name and inform the Secretary to summon this witness.

Q. Were you present at any other fire, riot or loot ?

A. No.

Q. Where did you part with the Governor on the 13th of July ?

A. I accompanied him to the Maharajganj that I am certain. So far as I remember I remained behind and the Governor went away.

The chairman remarked that he was very glad to note that the witness gave very clear answers to questions. The chairman said "I now desire to question the witness on his information, prior to the 13th July".

Q. Have you any connection with the C. I. D. ?

A. I have none.

The C. I. D. is directly under the Inspector General of Police and not under me.

Q. Are you a Mohammedan resident of Kashmir ?

A. I am a resident of Jammu. I am a hereditary subject of the State.

Q. Are you acquainted with the opinions and desires of the Mohammedans of the State, you being a Mohammedan yourself, I mean in excess of what opinion a non-Mohammedan in same position would hold ?

A. I may have a general sort of information on the subject but most of my information was gathered as an officer. I used to send the result of my information to my superior officers in confidential diaries. I used to send such confidential information both to the Inspector General of Police and the District Magistrate. I possess copies of these myself.

NOTE.—The witness is requested to give his copies confidentially for the inspection of the Committee.

The witness stated that he can produce documents to show what action he had taken and what information he had sent to his superior officers. The witness is requested to prepare his note according to dates and also to mention therein when the information was sent on to superior officers.

NOTE.—The witness is told that he will be requested to appear in the Chambers of the Chairman for confidential examination on Tuesday or Wednesday next at 10-30.

(Sd.) AZIZ DIN,
Deputy Inspector General of Police, Kashmir.

Certified that the above statement was read over to the witness and was admitted correct by him.

1st August 1931.

(Sd.) RAM NATH SHARMA,
Secretary Enquiry Commission.

WITNESS No. 4.

Pandit Gopal Ram Thappa, Superintendent Police Srinagar, on S. A.

30th July 1931.

The statement was read over (Ex. 10) and verified.

I was in the Police office when I first got the information about the collection of a mob at the Jail. The time was about 12-30 p. m. The phone was not in my room and I did not receive the message myself. A clerk came and said that news had arrived over the phone that three or four thousand people had assembled at the Jail and crying various slogans. I went to the room of the Deputy Inspector General of Police and conveyed the information to him. I told the D. I. G. that extra Police may be sent to the Jail and that he should proceed there with the District Magistrate.

Q. What is your charge?

A. I am in charge of the Srinagar District.

Q. Could you not yourself have sent information to the lines for extra Police force?

A. No, Sir. The Police Lines are directly under the Deputy Inspector General of Police.

The Public Prosecutor Lala Sunder Dass had to go to the Jail to prosecute a case there. That case was the prosecution of Abdul Qadeer at the Jail. I took him with me in my car. He sent a message to me enquiring whether I could give him a lift. I replied in the affirmative. I drove straight to the Jail. I reached the Jail at about 1-15 p. m. On my arrival I saw the Jail Guard there and immediately afterwards I saw the extra Police.

The Police Guard must have arrived a couple of minutes before me or after me. I did not see the extra Police when I arrived. It may be also that I did not take notice. I did no notice any lorry waiting when I arrived. The Jailor, the Sessions Judge and one or two officers were on the other side of the iron gate.

Q. When you arrived what did you see of the crowd?

A. Part of the crowd was at the time inside the outer compound.

Q. What do you call the outer compound?

A. By outer compound I mean the compound between the wooden gate and the iron gate.

There was a portion of the crowd outside the wooden gate, also. I passed through a portion of the crowd. I drove into the compound up to the iron gate. My car remained inside the compound. The crowd outside the compound tried to obstruct my car.

Q. How much was the crowd at the time?

A. I estimated the crowd to be four or five thousand.

Q. What was the crowd doing?

A. The crowd was shouting "Abdul Qadeer Zindabad", "Islam Zindabad", etc. and looked very much excited.

Q. Did you ask any of the crowd what they wanted?

A. No, not at that time.

Q. When you arrived why did you not ask the crowd of the front men what their object was in gathering in such a large crowd?

A. I was atonce called inside by the officers.

Q. The way you speak suggests as if they looked upon you as their saviour. What was the reason for this?

A. I cannot tell.

Q. Did you not think it your duty to ascertain from the crowd why they had gathered there?

A. It was my duty but as I was straightway called in by the Sessions Judge I had to go inside and could not wait outside to question the crowd. The Sessions Judge and the Jailor told me the story of the assault on the iron gate and on the Jail Guard.

Q. What was this story?

A. The Sessions Judge told me that when he arrived the mob followed him and made a rush inside the iron gate. He said the mob tried to force its way inside the Jail. The Jail Guard pushed back the crowd but during this struggle the *kunda* of the iron gate was broken and it was with great difficulty that the crowd was prevented by the Jail Guard from entering.

Q. Did they say whether the extra Police had arrived then or not?

A. I was informed that the extra Police had not arrived at the time of this rush.

I phoned this news to the D. M. I requested him to come himself when he told me that he had sent the D. I. G. and the City Magistrate.

Q. When you arrived who was there besides the Sessions Judge?

A. Besides the Sessions Judge there was the Jailor. I did not notice any other officer. Mr. Satya Lal was not there at the time. He came afterwards. The name of the City Munsiff is Pandit Bhimsen.

Q. Why did you request the Governor to come? Did you think that he could shout louder than the City Magistrate who was coming?

A. Looking at the crowd I thought it important that D. M. himself should come.

I came out of the iron gate and turned out to the mob which was within the compound. By that time the extra Police had arrived and I pushed the crowd back and also told them to go out. The crowd went back beyond the outer gate. Over a thousand had collected inside the compound. I did not count the Police force at that time.

Q. How did you manage to push such a large crowd outside when you say that it was in an excited condition?

A. The crowd outside looked more excited than the crowd inside.

Now I remember all the 44 policemen from the Lines had arrived, some armed with rifles and some with clubs. We managed to push the crowd out. At this time the D. I. G, the D. M., City Munsiff and the City Magistrate arrived. The A. S. P. also came. It was some time about quarter to two or two. They all went inside the Jail taking me along. Myself, the Sessions Judge and the Jailor narrated to them the story of the assault on the Jail. We all went to the upper room.

Q. Was Abdul Qadeer brought out for trial at the time?

A. No.

Q. Was he ever brought out at any subsequent time?

A. No. I did not see him.

The Public Prosecutor was also there. Abdul Qadeer's counsel were outside the iron gate. I never saw them inside the Jail. There were three pleaders. I know one of them Moulvi Abdulla. Another man was Pir Qamar Din. The third gentleman was a Hindu. They all three stayed outside in the compound. There was no stone throwing at the time. Nobody told me that there had been any stone throwing up to then.

Q. What was the crowd doing all this time?

A. They were standing, shouting and making noise. They were shouting slogans. They were shouting "Abdul Qadeer Zindabad", "Islam Zindabad".

Q. What I want to know is, did they on the arrival of officers make any pungent or humourous remarks?

A. No, they did not abuse me.

Q. What did you think was the intention of the crowd? They could not have come there simply to shout slogans which they could even do in their own houses.

A. My personal opinion was that they had come to attend the trial of Abdul Qadeer.

The District Magistrate enquired whether any of the officers present have been able to identify any mob. The District Magistrate particularly addressed to the C. I. D. officers. He said that it was their duty to recognize the men who had attacked.

Q. Do you know that your policemen are not very observant?

A. Yes, I know.

Q. Did you know that when my car used to pass through the compound of the High Court they remained seated without recognizing me?

A. Yes. I heard about it when I received your letter.

Q. Do you think that every policeman would recognize by face the Magistrates of Srinagar?

A. I am not certain unless they had seen the Magistrate. It also depends on the powers of their observation.

Q. What assessment do you make of the powers of observation of your policemen?

A. They are generally not very observant.

Q. Are you the head of the District Police?

A. Yes, I am the head of the District but not of the Lines. I am the head of the Police of the Thanas.

Q. Do you think that the Thana Police would be able to recognize every Magistrate by his face? What steps have you taken to ensure such recognition?

A. I have not taken any particular steps.

Q. Now start again on the question of recognition of the crowd by the C. I. D. officers?

A. One of them said that he can recognize some of the men who attacked. The D. I. G. was then directed by the Governor to go with the C. I. D. officers and make arrests.

Q. What did you understand by the arrest, indiscriminate arrest or arrest of the persons who had come to the iron gate?

A. I understood from this order that the arrest of the particular persons who had attacked the iron gate was desired.

The D. I. G. took me along with some constables and so far as I remember one of the two C. I. D. officers also went along with us to the crowd. The C. I. D. officer pointed out one man to the D. I. G. I don't remember the name of the C. I. D. officer. One man was pointed out by the C. I. D. officer out of the crowd. I caught hold of him and four more men were arrested.

Q. Whether these four men were arrested indiscriminately out of the crowd or whether they were said by the C. I. D. officer to be the particular persons who had attacked the Jail?

A. The constables arrested and brought these four men. I do not know whether the C. I. D. officer particularly pointed them out or whether they were captured indiscriminately out of the crowd.

As we were bringing the arrested persons pelting by stones from the mob started, all these arrests were made outside the wooden gate. I was not hurt. I noticed when I went along five or six of the constables out of those who went with us were wounded.

The crowd retreated as soon as we started making arrests. Even after the arrests the mob remained outside the compound and threw missiles from there. Stones were thrown.

Q. Can you remember what they were crying at the time, only the slogans mentioned by you before or something else also?

A. There was a great noise and I could not make out any other slogans if any other were uttered.

The mob then made a rush and came as far as the wooden gate but they did not enter within the compound. They kept throwing stones from the gate. The arrested men were taken within the gate. The D. I. G. and I stood outside the gate. The Governor was upstairs.

Q. What were the other Magistrates doing?

A. I did not know. They were all with the District Magistrate.

The Governor then called to the D. I. G. to declare the crowd to be an unlawful assembly. The D. I. G. made such an announcement.

Q. Did you not wonder why one of the Magistrates did not come out and proclaim the crowd to be an illegal assembly?

A. I thought that the Governor was giving the order so it was carried out.

The mob did not disperse. The District Magistrate then ordered to disperse it by *lathi* charge. There was a *lathi* charge but it was not effective. The mob got hold of the constables and beat them. One of the constables was hit on the head and bled profusely.

Q. Are you quite sure that the *lathi* charge was made after the crowd had been declared to be an unlawful assembly?

A. Yes.

By this time about a dozen constables were injured. There were two seriously injured, the rest were slightly injured. The stone throwing continued and the mob showed a determination to force their way through the wooden gate.

I then requested the District Magistrate from below to grant permission to open fire.

Q. What was the fear then?

A. The fear was that the entire crowd would enter the compound and overpower the Police armed with rifles and clubs and take away the rifles and clubs. There was also the fear that they would release all the prisoners inside the Jail. At that time the prisoners inside were also creating disturbance and there was noise heard as of breaking of the Jail windows. The District Magistrate consulted the D. I. G. The D. I. G. also said that firing was necessary. He also was down below in the compound. The District Magistrate then ordered the D. I. G. to open fire. The D. I. G. issued orders to the armed Police to fire. The time then was about 2-15 p. m.

Q. Do you know how many rounds were fired and how many firing made?

A. I do not know how many rounds were fired, and how many men fired. I did not notice anybody hit.

Q. What sort of firing took place?

A. I noticed that some shots were fired in the air. It was volley fire. The mob dispersed as the result of the firing.

Q. Was firing continued until the mob dispersed?

A. I do not know.

The mob then receded after two or three minutes the mob came on again and firing was ordered again.

Q. Was that the same firing again at that time?

A. At that time information came that the Police Line attached to the Jail was looted and set fire to, that some prisoners who were being brought from the Courts to the Jail were rescued by the mob and the Police guard with them was assaulted and belaboured. I saw the telephone wires shaking. After that I heard that the wire had been cut. The District Magistrate ordered to open fire. I cannot tell how many rounds were fired. I did not make the request from inside. Then the mob dispersed after this.

A portion of the mob was seen extending in front of the Police Barrack. The District Magistrate ordered a *lathi* charge on this portion of the mob. I accompanied the Lathi charge and that portion of the mob dispersed.

Q. Can you mention how many rounds were fired?

A. I cannot answer how many rounds were fired. I was not in charge of the guard. According to my observations, however, firing was ordered only thrice. Twice it was effective and once it was in the air.

The roof of the Police Lines was burnt partially. The policemen's bedding and boxes and other belongings were thrown outside. We made arrests at that time also. Including the five previously arrested altogether 32 were arrested. The Fire Brigade arrived at this juncture and extinguished the fire. A detachment of the cavalry also arrived. It was detailed to disperse the mob which had taken its stand on the side of the Hari Parbat hill. The cavalry was then directed to proceed to the city for patrolling.

Q. When did you leave the Jail?

A. I left the Jail after the Police Minister had seen everything.

Q. Did you meet Inspector General of Police?

A. Yes Sir. I met him then. He did not tell me about any other occurrence.

Q. Did you learn at the Jail that Maharajganj was looted?

A. No.

Q. Why was the cavalry sent to the city?

A. It was apprehended that the mob that had gone to the city might create disturbance.

Q. Where did you see the mob afterwards?

A. I saw portion of the mob going to the city through the lane. The time then was 3-15 p. m.

Q. What do you estimate to be the time when the last firing was made?

A. The time was 3-15 p. m. when the last firing ceased. And we made a charge on the crowd at the Police Lines.

At Amirakadal on our way we heard that Maharajganj had been looted. I went there in the company of D. I. G. and D. M. I saw that the shops had been looted. There was nothing inside the shops. Some of the goods were lying outside scattered. I noticed nine shops in a condition as if they were looted. Some pieces of cloth and eatables lay scattered on the road such as rice, dal, etc.

Q. How could you distinguish that it was not a make-believe?

A. All the people had been crying out that they had been looted and some persons were wounded. I noticed four or five injured persons. They were all Hindus.

Q. Did you go to Vicharnag that day?

A. After about 10 p. m. I heard about the loot at Vicharnag.

Q. Where were you afterwards?

A. I remained the whole night at Maharajganj.

Q. Were you present at any other firing or loot?

A. No.

Q. Were any persons arrested in your presence in Maharajganj Bazar with property stated to have been looted?

A. Certain persons were brought by the Military with looted property.

Q. Was the Military in possession of Maharajganj when you arrived?

A. Yes.

Q. When the District Magistrate ordered the D. I. G. and you to go and arrest from the mob the persons who had attacked the Jail, did it strike you at that time that that was not the proper step to have been taken at that time in view of the excitement that prevailed?

A. No Sir. It did not strike me at that time.

Q. What do you mean by "authority" to whom you submitted so many times your reports?

A. The Deputy Inspector General of Police.

Q. Is P. Sudershan Koul, A. S. P., subordinate to you?

A. Yes.

Q. Did he give you information on the 12th of July regarding the collection of a mob at the Jail?

A. No.

Q. Did he give you information on the morning of 13th July about the same?

A. No.

Q. Is it not strange that your Assistant Superintendent of Police did not inform you of the information that he had got regarding the collection of mob at the Jail on the morning of 13th and subsequently ?

A. I should prefer to answer this question *in camera* and explain my position.

NOTE.—The witness is permitted to submit a written statement to the Chairman confidentially. If necessary the witness will be called for an oral examination.

Q. Did I understand that you had no knowledge of the gathering at the Jail before 12 a. m. on 13th July ?

A. I had no knowledge.

Q. How long have you been in service ?

A. I joined service in 1925 as Probationary A. S. P.

Q. When did you become an S. P. ?

A. I have been S. P. for the last one year and four months. I have been on duty here all the time.

Q. Have you any control over the guard at Jail ?

A. No.

Q. Did you try to find out before you left the Jail the number of persons killed and wounded in the firing and also to find out whether any medical assistance was necessary to be rendered to them ?

A. When I left the Jail I took no action to find it out nor was there anybody from whom this information could be gathered.

Q. What is to your knowledge the exact number of persons killed in the firing ?

A. I cannot say. It is rumoured that 9 persons were killed but no post-mortem examination of the dead bodies was performed.

Q. Were any Police officials killed on the 13th of July ?

A. No.

(Sd.) GOPAL RAM THAPPA,

Superintendent Police.

Certified that the above statement was read over to the witness and was admitted correct by him.

(Sd.) RAM NATH SHARMA,

3rd August 1931. *Secretary Enquiry Committee.*

WITNESS No. 5.

Pt. Gurdial Rampal, Superintendent C. I. D., on S. A.

This is my confidential written statement (Ex. 11).

Q. On the 12th of July had you any special information of the likelihood of the riot at the Jail ?

A. I had no such information. My information extended so far that a crowd will collect at the Jail just as it had collected at the Court during the trial of Abdul Qadeer.

Q. Did you make any written report to the I. G. P. on the 12th of July regarding the probable action of the crowd next day at the Jail?

A. No.

Q. Are you directly under the I. G. or the D. I. G?

A. I am directly under the I. G.

Q. Are you the head of the C. I. D.?

A. Yes.

Q. And your reports go direct to the I. G.?

A. Yes.

Q. Have you got all the reports which are mentioned in your written statement?

A. Yes.

Q. Do you know who took action on these reports, the I. G. or the Minister? What was the procedure?

A. The procedure was for me to prepare all reports. The I. G. P. signed them and reports were submitted to the Minister.

Q. Was the Inspector General only the signing officer or did he also pass orders on your reports?

A. He also passed orders on my reports.

Q. Whether according to the procedure every report goes to the Minister?

A. Yes.

Q. Did you know that the trial of Abdul Qadeer would be held in Jail on the 13th of July?

A. Yes I knew of this two or three days earlier during the talk between the I. G. P. and D. I. G.

Q. Had you any information of a special meeting on the 12th of July of the Mohammedans to discuss this matter of the trial in the Jail?

A. There was a meeting of Mohammedans in Maisuma Bazar Mosque.

3rd August 1931.

(Sd.) GURDIAL RAMPAL,

Superintendent Police C. I. D.

Certified that the above statement was read over to the witness and was admitted correct by him.

3rd August 1931.

(Sd.) RAM NATH SHARMA,

Secretary Enquiry Commission.

WITNESS No. 6.

Pandit Sudarshan Koul, A. S. P. on S. A.

3rd August 1931.

This is my written statement (Ex. 12).

About 8 p. m. on the 12th of July when I was going on my round of duty in Kothi Bagh the Inspector General of Police met me at the Kothi Bagh Police station. He told me of the information he had received from Colonel Sutherland that some one had snatched a bag from the hand of a European lady. I was directed to enquire into the matter. I went to the houseboat of this European lady and asked her. When I returned to Kothi Bagh on the road—this was at about 9-30 p. m.—an informer of mine told me that there was a house to house propaganda in the city to induce the Mohammedans to collect next day at the Jail. I was also told that there would be strike and shops would be closed and there was an intention to rush to Jail in order to attend the trial but there will be non-violence. No Police station in the city had sent me such an information. With this information I went at once to the house of the D. I. G. of Police. He took me in his car to the house of the Governor. This information was conveyed to the Governor at his house. I suggested that armed reserve Police force should be sent to the Jail next day. The Governor said "verify this information from an independent source and let me know tomorrow morning". I also promised to verify this information.

Q. Did you specifically tell the D. I. G. and the Governor or not that there was a probability of an attack of violence on the Jail?

A. I did give such an information.

Q. Then why did you say just now that your information was that the crowd intended to act with non-violence?

A. I did not tell the D. I. G. or Governor that according to my information there would be no violence. I told the Governor and the D. I. G. that the crowd could not remain non-violent in such a situation when it was going to force its passage into the Jail.

Q. Then was it your opinion that when such a large crowd with the intention of forcing its way into the Jail in order to listen to the trial was to collect at the Jail, force was sure to be applied by the crowd?

A. Yes.

Q. On the morning of the 13th of July did you entirely change this opinion of yours or not?

A. No. (the witness adds of his own). I, on the other hand, added so much to my information to the D. I. G. that the people meaning the Mohammedans had been told that Abdul Qadeer will be sentenced this very day.

I was with the D. I. G. till 9 a. m. He then told me to go and return after taking my meals.

Q. Did you on the night of the 12th of July say to the Governor or rather assured the Governor that the Jail Guard will be sufficient to cope with the situation? (See the statement of the Governor page 2).

A. I never made any such statement. On the other hand I was certain and expressed the opinion that extra Police would be necessary to cope with the situation.

Q. I like to get you through what I want to get out of you by stages. First of all, therefore, tell me whether in your own mind there

was a change in your opinion during the night of the 12th and the morning of the 13th of July as to the probability of violence at the Jail?

A. No.

Q. I shall again put it to you in clear terms the difficulty I have is that on the 12th of July according to the evidence so far recorded you gave your superior officers reasons to apprehend violence at the Jail on the 13th and again on the morning of the 13th you gave a sort of assurance to them that there will be no violence. When you went to the house of the Inspector General with the D. I. G. on the morning of the 13th of July, did you assure him that the Mohammedans will not commit any wrong act?

A. I did not give any such assurance.

Q. I shall repeat my question. Was the state of your mind the same on the 12th of July and on the morning of the 13th of July that a large crowd will collect at the Jail and desire to get entrance in order to be present at the trial and that they were sure to commit violence and some wrongful acts?

A. The state of my mind was the same.

Q. Listen to what the D. I. G. has stated before the Committee. "At about 8 a. m. the A. S. P. phoned to me that there was no verification of the intention of the Mohammedans which was apprehended of attacking the Jail" (*vide* page of the record).

A. At 8 a. m. my phone was out of order and I did not convey any such information to the D. I. G. over the phone. On the 12th of July my phone was out of order and I had an altercation with Mr. Bose about this.

Q. Now tell me this. Did you on the morning of the 13th of July phone to the D. I. G. at all?

A. I did not phone to him. I went personally.

Q. Did you go yourself to the house of the D. I. G. in the morning or did you meet him accidentally at the house of the I. G.?

A. I myself went to the house of D. I. G. On the morning of the 13th I did not go to house of the Inspector General at all. I called at his house but he was absent. This was between 9 a. m. and 9-30 a. m. I saw him for the first time at 1 p. m. in the office in the company of the D. I. G.

Q. Are you sure you did not see the I. G. in the morning?

A. I am sure I did not see the I. G. on the morning of 13th.

Q. Listen to the statement of the Inspector General. "I was at home on the morning of the 13th. At 8 a. m. the D. I. G. who is a Mohammedan and A. S. P. Sudarshan Koul came to my house. They informed me that Mohammedans would collect at the Jail.....The crowd will shout slogans.....They, however told me that these Mohammedans will not commit any wrong act." (*vide* page of the record).

A. According to me this statement is not correct, because I did not see the I. G. at all at 8 a. m. on the 13th. He must be under some misapprehension.

Q. Now tell us the narrative after you went away from the house of the D. I. G.

A. I went to the office after taking my meal at about 11 a. m. On the 12th of July during the day about later than 4. p. m. I had sent an order to the Sub-Inspector Police of Maharajganj to keep all the

constables under him in readiness in uniform for fear there may be any disturbance within his circle. I have got a copy of that order and can produce it. (The witness is ordered to produce the copy). About 11-30 or 11-45 a. m. I received a phone message from the Jail that a large crowd of Mohammedans had collected there and more were coming. I informed both the D. S. P. and the D. I. G. who were in the office. The D. I. G. ordered me to phone to the Police Lines to send as many policemen as possible to the Jail with arms and Lathis and the D. S. P. told the D. I. G. that he would proceed to the Jail with a Magistrate.

The D. I. G. further said that he would proceed to the Jail after seeing the Governor. So the D. I. G. and I went to the Governor. This was about 12-45 p. m. or 1 p. m. The D. I. G. suggested to the Governor that he should also accompany us to the Jail but the Governor did not see the necessity thereof. The D. I. G. and I met the Inspector General of Police also in the office. The D. I. G. told the I. G. P. what was happening in the Jail and that he was proceeding there. We spent some time on the way in filling D. I. G's. car with petrol and then went on to the Jail. When the D. I. G. and I alighted I saw mob of Mohammedans about six or seven thousands collected outside the wooden gate. They were in a state of great excitement and shouting slogans. The cries were 'Long Live Abdul Qadeer', 'Long Live Islam', 'Alah-O-Akbar'. I found that the D. S. P. had arrived previously.

(NOTE.—It is not necessary to question the witness particularly as to the incidents of the Jail, as he was there at the same time as the Governor and the D. I. G. whose statements have already been recorded).

Q. Now describe what you did at the Jail after the occurrence?

A. I left the Jail at 4 p. m. or 5 p. m. I, City Magistrate Pandit Bhim Sain and City Inspector Maheshar Nath drove in a car behind the Governor's car.

Q. Were you aware that Maharajganj was looted or was being looted before you left Jail?

A. No, I had no such information.

Q. Did you meet the Inspector General of Police at the Jail?

A. Yes.

Q. Did he not tell you that Maharajganj was looted?

A. No.

At Amirakadal near Ganda Singh Building the I. G. P. met me. He was in a car. He told me to get into his. He took me to the Badami Bagh Cantonment.

Q. Did I. G. P. take you with him for support or encouragement?

A. I cannot tell.

The I. G. P. and I went with the Military from the Military Line to Maharajganj. The I. G. P. took me with him in his car. He then deputed me with Colonel Commandant of the Regiment Force to post the Military men on the right place.

At the Maharajganj Bazar I saw evidence of a loot having been committed. The evidence was that the shops were empty, account-books were torn and lying in the drain.

At the time I reached the bazar, looted property had been collected and brought to the Ganj. What I heard was that most of the property stolen was collected on the road and small portion had been recovered from the rioters and looters.

Q. Were you ever an investigating officer?

A. Yes.

Q. When you had been an investigating officer, you may therefore be able to tell the Committee of the impression you derived by looking at the locality ?

A. I saw the locality only superficially. I had no time to ascertain these matters. I was deputed on duty with the military and to hear the complaints of people.

Q. Did you enter any of the shops that had been looted ?

A. No.

Q. Were you able to find out the approximate value of the property looted and the names of the persons whose property was looted ?

A. No.

Q. Who is your immediate superior officer ?

A. Superintendent of Police.

Q. Did you inform the Superintendent of Police in regard to the information you had received on the evening of 12th July ?

A. No. I have my reasons why I did not consider it necessary to inform the Superintendent of Police.

Q. Will you give these reasons here or in camera ?

A. I shall do it here. In the first place the Police Line is not under the Superintendent of Police. In the second place the Deputy Inspector General of Police himself used to communicate with me direct and he also used to get information direct from my subordinate officers. The same procedure is followed at present.

Q. Were you justified in view of these reasons alone not to inform the Superintendent of Police of the serious situation ?

A. No. These will not be sufficient reasons for me not to inform the S. P. The time was late in the evening and the matter was urgent and the S. P.'s house is not easily approachable. My phone was out of order on the 12th.

NOTE.—The witness has further stated while explaining why he went direct to D. I. G., that his department has been recently reorganised and that the duties of different officers have not been specified yet.

Q. Was the loot reported in your opinion a make-believe ?

A. From the condition of the shops and general situation the opinion formed by me was that the Bazar was really looted and was not a make-believe of the Banias of the shops. Also those shop-keepers gave me description of the loot as they wept. Large quantity of looted property was collected at the Ganj; that also led me to believe that there had clearly been a loot. I remained in Maharajganj and for several days continually.

Q. Were any persons arrested in your presence with any of the looted property ?

A. Several persons were brought to me with looted property and they were sent to Jail or other places.

Q. Did you pass any orders of sending arrested men to the Jail ?

A. No. The S. P. was present there and he passed orders and I did not.

Q. Were the arrested persons sent to the Jail at that very time ?

A. I don't know whether they were sent to the Lines the same night or next morning.

Q. Were you present at any of the places of loot or shooting?

A. No.

Q. In his written statement the I. G. P. gave the approximate value of the looted property at Maharajgunj to be seven lakhs. Is this figure based on information supplied by you?

A. No. According to my information the value of the looted property is forty lakhs but this is subject to verification.

Q. When did you attend the meeting held in Maisuma Bazar Mosque?

A. Immediately after the meeting dispersed in the evening. It must have been about 7 or 8 p. m.

Q. What is your information?

A. I do not remember that I received any information about the proceedings bearing on the occurrences on the following day at the Jail and other places. I hear that an appeal was made for subscription for the National Mohammedan Cause and that some money was collected. I did not hear of any discussion there over the question of Abdul Qadeer etc.

Q. When was the Sangam Bridge burnt?

A. The Sangam Bridge was burnt during the night between 9th and 10th of Sawan corresponding to 24th and 25th of July. The 9th Sawan was Firday.

Q. Had the Police any previous information on the subject?

A. The Sangam Bridge was not under my charge when it was burnt. It is under my charge at present.

I know that one day or two days previously the Police had the information of the likelihood of the bridge being burnt. I know that the Tehsildar and the A. S. P., B. Anand Swarup went to the village Marhama which is close to the Sangam Bridge and warned the Lambardar and Chaukidars there that they would be responsible for the safety of the bridge.

I know that the Governor had received an anonymous letter prior to Saturday the 25th that a conspiracy is going on and the Khanabal and the Sangam bridges would be destroyed.

Q. What would be the object of burning the Sangam and other bridges?

A. To cut off communication and to prevent military arriving in Bijbihara and Anantnag and to loot them.

I have got the anonymous letter myself because I am in charge of that circle at present.

(NOTE.—The witness is directed to produce the letter).

I saw the letter on Saturday in my office. It was mis-sent to my office instead of being sent to the A. S. P. at Anantnag.

(NOTE.—The Secretary will write to the Governor and obtain from him a statement as to his knowledge as regards this anonymous application and what action the Governor himself took on receipt of this letter. As soon as the written statement is received it shall be put up before the Commission. The Governor will be called for oral answer on the subject if necessary).

Q. Did the District Magistrate order you after the firing on the 13th of July to find out the number and names of the persons killed and wounded ?

A. No, I was not given any such order.

Q. Did you not of your own accord try to find out the names of persons who have been killed and wounded in the firing at the Jail ?

A. I was in the subordinate position and I took no action of my own accord in that connection. Besides no wounded person or dead body was found on the spot.

(Sd.) SUDARSHEN KOUL,

Assistant Superintendent Police.

Certified that the above statement was read over by me and was admitted correct by the witness.

(Sd.) RAM NATH SHARMA,

4th August 1931. *Secretary Enquiry Commission.*

WITNESS No. 7.

Pt. Bhim Sen, City Magistrate, on S. A.

3rd August 1931.

This is my written statement which is read over to me (Ex. 13).

Q. What was the object of so many Magistrates collecting together at the Jail ? One could understand ducks going together but I have never heard of so many Magistrates collecting together at one spot.

A. I was deputed by the Additional District Magistrate to go to the spot.

Q. Did you think for yourself what the object of your deputing was ?

A. The Additional District Magistrate told me verbally after sending for me that there was to be a trial at the Jail by the Sessions Judge and a crowd had collected there. There was likely to be a disturbance so my presence was necessary.

Q. Then your impression was that you were deputed there to control the crowd ?

A. Yes.

Q. After how many minutes did the Additional District Magistrate arrive at the spot ?

A. The Additional District Magistrate arrived with the Governor at the most about 15 minutes later.

Q. Did you turn to the crowd and ask it why it had collected in such a large number at the spot ?

A. I did not confront the crowd myself and did not put any question to the crowd, but on enquiry I did discover why the crowd had collected.

Q. What did you discover?

A. A Jail official, possibly a Jamadar of warders, and the S. P. informed me that the crowd made a rush at the gate and when questioned said that they wanted to attend the trial; so they should either be permitted to attend the trial or be imprisoned themselves.

Q. When the Governor arrived, did he take over charge as being the senior-most Magistrate?

A. Yes.

Q. Did you inform the Governor about what had happened?

A. Yes, I did inform the Governor. (Then the witness adds). The accused had four counsels Mr. Abdulla, Pir Qamar Din, a young Mohammedan of the name of Mr. Ghulam Ahmad,—I am not sure whether he was engaged as counsel or not but he was there—and one Hindu pleader Lala Nanak Chand. Before the Governor arrived I enquired or Mr. Abdulla whether he had told the crowd to disperse. I asked Mr. Abdulla why he would not disperse the crowd. He replied "I did go out to the crowd and tell them that as no permission is given to them to go into the Jail they ought to go away and such a proceeding will also be in accordance with religious tenets. The crowd listened to me for a short time but afterwards became rowdy and then I had to come back here." He said "I am also afraid now of going home. I cannot even go home." Mr. Ghulam Ahmad also explained that he tried to disuade the crowd and to disperse it but they did not listen to him and called him in opprobrium a Pandit.

Q. You have stated in your written statement that the Governor ordered the arrest of the men who had tried to push entrance into the Jail. Did he consult you or the A. D. M. before issuing such an order?

A. No.

Q. You are a Magistrate yourself. All you Magistrates were hiding inside the Jail and not showing your faces outside. Did you think it under the circumstances reasonable that four or five men out of the crowd should be arrested in that temper of the crowd?

A. I thought it reasonable. A serious attack had been made at the Jail. There would have been no opportunity of arrest if the crowd had dispersed without any arrest being made.

Q. Does it not follow from what you say that you did not desire the crowd to disperse without some men being arrested at the spot?

A. No. It was desirable at the time that the crowd should disperse.

Q. What was the intention of the arrest? Was it desired that any men who could be caught hold of out of the crowd should be arrested or only those who were specifically recognized to have attacked the Jail iron gate earlier?

A. Definite direction was given to a C. I. D. officer and others to arrest specifically the men whom they could recognise as having made an assault on the iron gate.

Q. Did you in your mind at the time consider it likely that out of this enormous crowd specific men who had made an assault on the gate could be picked out?

A. I really thought it to be a very difficult undertaking.

Q. Was any attack feared at the time?

A. Yes.

Q. Was the idea to apprehend the persons only or or to prevent the recurrence of an attack on the iron gate?

A. Primarily the idea was to secure the persons who made the attack and could be recognised and incidently to disperse the crowd and prevent further mischievous action.

Q. Had any stone throwing commenced before the arrests were made? How was it gathered that the crowd intended to make an attack at the Jail ?

A. When Dr. Tiku arrived (Superintendent Jail) after the Governor arrived and before the arrest his car was stopped outside and he was not able to drive his car inside the compound and had to walk inside. He was walking when a stone was thrown at him. This fact connected with the fact of a man standing at the grove gate and lecturing to the crowd in the then temper of the crowd, made me apprehend that an attack would be made.

Q. I remind you that there were four Magistrates inside the Jail at the time. What was the reason that not one Magistrate went out to proclaim the assembly to be an unlawful assembly?

A. The reason was that the District Magistrate (the Governor) did not direct any of us to go out and make such a proclamation.

Q. I put it to you that the Magistrates were afraid of being struck by a stone or two and that is why they did not go out of the Jail?

A. At any rate this was not my idea. I cannot answer for the thought of any other Magistrate.

Q. Do'nt you think that when a Magistrate is present it is incumbent upon him that he should go out and proclaim an assembly to be unlawful and not a Police officer though no-doubt under the Code of Criminal Procedure either has authority to declare an assembly to be unlawful?

A. I agree with that opinion. If I had been the senior Magistrate I would certainly have gone out.

Q. The S. P. also spoke of two firings. You also speak of two firings. There is however evidence of the Governor and the D. I. G. that there were several firings. How do you explain this?

A. There were no doubt several firings but I speak of two firings because there was a long break of about two minutes between the one series of firing and the second series of firing.

Q. Where were you when the firing was ordered?

A. The Governor and I were both in the room above the gate. The other Magistrates were also there.

Q. Did you notice that several firings and not only two firings were separately ordered by the Governor?

A. I cannot tell about the series of firing in two instalments whether at each separate firing of the series the Governor had given an order separately to fire. When the second series of firing started I left the room to take down the dying declaration of a Constable who was expected to die from the injuries received by him at the Jail. The constable's name is Gopi Nath. So far as I know he did not die. He was escorting the rescued an under-trial prisoner to Jail. He had injuries on his head. I reported his statement.

Q. When you left the Jail, did you know that Maharajganj had been looted?

A. No. All I know was that there was a likelihood of the place being looted. I remember the time when I reached Maharajganj. It was 3-45 p. m. at the most. It may have taken me 10 to 15 minutes to cover the distance from Jail to Maharajganj. I was in charge of two lorries. I stopped for a couple of minutes at Bhuri Kadal. The place is between Juma Masjid and Maharajganj. I was told that that place had been looted. I saw five or six shops looted there.

Q. Did you on your journey from Central Jail to Juma Masjid see any dead or wounded Mohammedans?

A. No. I had not seen specifically any, but at an open space a short distance from the Jail two or three groups of men had collected round about. Some men were lying down possibly they may have been injured or dead Mohammedans.

Q. Do you know when the dead bodies were brought to the Juma Masjid?

A. I did not see myself. I heard that the bodies were brought over at night.

Q. Why did you not stop at Bhuri Kadal when you discovered that it had been looted?

A. I left a non-commissioned officer and seven soldiers there.

Q. Did you enquire when the loot had taken place at Bhuri Kadal?

A. I was told at the time that the loot had just finished when I arrived. I even saw two or three men running away. There is a bazar in Bhuri Kadal.

Q. Did you know the places which were looted and where a shooting took place?

A. The principal loot was committed at Maharajganj, Vicharnag and Bhuri Kadal which is practically a portion of Maharaj Ganj. I have also information that stray shops one or two were looted at other places also.

Q. At what places there were shootings besides the Jail?

A. On the night of the same day there was shooting at a place of which the name I do not remember. Next day on the 14th there was a case of shooting by the Military at Vicharnag. The third case of shooting by the Military was at Nawa Bazar on 15th near Dr. Shiv Ji's house.

Q. Altogether how many men were killed by the Military and Police of the Mohammedans including Jail?

A. So far as I know 9 were killed at the Jail; one was shot dead same night at a place of which I do not remember the name; three at Vicharnag; one at Nawa Bazar; altogether 14.

(NOTE.—This agrees with the information of the Chairman).

Q. Did you see any wounded Mohammedans at the Jail just when you were in the Jail?

A. No. Nothing besides the groups of men I saw from a distance while I was driving to Maharajganj.

Q. What did you do at Maharajganj?

A. At Maharajganj the lorries stopped at the Sub-Post Office. I found there the Post-Master and 4 or 5 persons greatly excited. There

was some paper lying about but that was not of the Post Office. The Post-Master told me that the mob had looted the shop adjoining and that he was afraid of his cash about 3 or 4 thousand rupees being looted. He desired that a conveyance may be given to him to carry the cash to the General Post Office. I deputed 2 soldiers there as I did not consider it safe to transfer money from one place to another at such a time and I had no conveyance to put at the Post-Master's disposal. I then proceeded to the Gunj proper. There was a crowd in front of the shop of Dr. Abdul Wahid. The crowd was shouting that Dr. Abdul Wahid was the instigator of the Mohammedans. "He is hiding inside". We went to pull him out. There was a lock on the outer door and it was told that a man of the Doctor had put the lock on. I deputed a soldier there on watch and dispersed the crowd. On enquiry I learnt that the Doctor was not inside. Possibly he had escaped. The people said he had escaped. My belief was that he was never inside the house at that time. The Hindu population there was greatly excited. I arranged for conveyance of some school children who were assembled there and who wanted to go home. I noticed the circumstances of the locality. There is a quadrangle and the Bazar proper. In the quadrangle no shop was looted except possibly one where some goods were lying scattered outside. My opinion was that it was looted. It was a Hindoo shop. I do not remember the name of the owner. I noticed that 10 or 11 shops outside the quadrangle and adjoining it had been looted. They were all Hindu shops. I had no doubt that the shops had been looted, and was not a make-believe. I found 5 or 6 Hindus of the locality seriously injured. I sent one of them to the Hospital in Bhagat Karam Chand's car. I do not know his name. He has a shop in Maharajganj. I cannot tell whether the man I sent to the Hospital died or not. The other injured persons had comparatively slight injuries not such as require medical treatment. I also saw a car which had been smashed. The occupants all requested me to see them safe at Amirakadal. There were some other visitors also at the Ganj who said that they had gone there to make purchases and desired to be conveyed safe to Amirakadal. A large crowd of Hindus had collected and I requested them to disperse and go to their houses so that I may be able to arrange for the guarding of the place. I had phoned for more Military help and I had left 8 soldiers at Bhuri Kadal and had left with me only 11. That is why I phoned for more help. The Nawab Sahib with a section of cavalry passed through. Then Colonel Sutherland came with his section and he also went on. Two lorries arrived subsequently with 37 men of the infantry. I received information as to Mahommedans having collected in different lanes, and throwing stones. I deputed soldiers for watch at such places. The Governor, A. D. M. and D. I. G. arrived sometime between 4-30 and 4-45 p. m.

Q. Did you find out from any enquiry when they started looting at Maharajganj?

A. One man, Bhagat Duni Chand or possibly he may be Bhagat Karam Chand informed me that the looting started at 2-15 p. m. I had asked the Post-Master also. He had told me that the mob had reached his Post-Office at about 2-15 p. m. The Sub-Post-Master is a Mohammedan. Munshi Mohammed Subhan is the name of the Sub-Post-Master. Maharajganj people told me that about 1,000 to 1,500 people joined in the loot but the Sub-Post Master spoke of 60 or 70—possibly a portion of the Maharajganj crowd proceeded to the Post Office.

Q. Did you get any idea of the amount or value of the goods looted?

A. The estimate of the loot by the Hindu shopkeepers is about one quarter to one and a half lac having regard to the fact that most of the shops were cloth shops and some grocery shops possibly the estimate was exaggerated slightly.

Q. Did you see any other loot or shooting?

A. I went to Vicharnag five or six days later for investigation. (Then the witness adds) Three days after the occurrence I went there with Brigadier Onkar Singh. I saw 8 houses there which were alleged to have been looted. Seven shops were alleged to have been looted at Noshehra which is about three quarters of a mile from Vicharnag towards Srinagar city.

Q. Did you enter any of the looted houses?

A. Yes. Yes I entered every one.

I saw the houses at Vicharnag which were looted. They were eight. Eleven different families live in those houses. Practically every thing worth taking was removed and articles not required destroyed. The account-books were burnt.

Q. How did you know that account-books were burnt?

A. I saw partly burnt account-books. They were lying in the court-yards of the houses. Out of the 8 houses, I was told, 5 were houses of bankers and money-lenders.

Q. What was the object of burning the *Bahi Khatas*?

A. I was told that those burnt *Bahi Khatas* contained accounts or the money-lenders' own debtors.

From the reports made to the Police I gathered that complaint was made that property worth two lacs thirteen thousand of Hindus was looted. There is one complaint by a Mohammedan women Mussammat Azizi (shall be summoned) that two or three days after the 13th of July her house had been looted by Hindus aud Military men. She complained that one thousand sovereigns had been stolen. I noticed 7 or 8 Hindus who had injuries on various parts of the bodies. At the time I saw them, that is 11 days after the occurrence, the injuries were not such as would require medical attendance.

Q. Do you know of any other cases of loss and recovery of property?

A. In Maharajganj I saw property recovered from lanes and open land. That was for a night and day after which the Police took over the investigation.

Q. You said that apart from Bhuri Kadal, Vicharnag and Maharajganj some shops in other parts of the town were also looted. Did you see any of these shops?

A. I saw one or two shops only in passing but did not enter any of those shops.

(Sd.) BHIM SAIN MAHEY,

20th Sawan 1988.

City Magistrate Srinagar.

Certified that the above statement was read over to the witness and was admitted correct by him.

(Sd.) RAM NATH SHARMA,

4th August 1931.

Secretary Enquiry Commission.

WITNESS No. 8.

Amar Nath, Sub-Inspector C. I. D., on S. A.

I produce 45 photographs with a list of them. The list gives the number on the back of every photograph, the description of the photograph, the place where it was taken, the name of the owner, the date of occurrence, the date of the taking of the photo, and the details of the occurrence. The list was prepared by me. All the photographs were taken in my presence. The photographs are of actual places and not a cinema production. The list is Ex. 15.

(Sd.) AMAR NATH MALHOTRA,

Sub-Inspector C. I. D.

At this stage witness No. 6, the A. S. P., produced the order which he sent to the Sub-Inspector of Maharaj Gunj on the 12th July. The report is dated 28th Har (12th July). The Sub-Inspector informed the Police force the same day. This is Exhibit 16.

Certified that the above statement was read over to the witness and was admitted correct by him.

(Sd.) RAM NATH SHARMA,

7th August 1931. *Secretary Enquiry Commission.*

WITNESS No. 9.

Choudhri Bhagat Ram, Additional District Magistrate, on S. A.

This is my written statement (Ex. 14).

Q. The name of which Minister was mentioned at the meeting to which you have made reference in your written statement?

A. Mr. Wattal's name was mentioned.

Q. How many Magistrates are there in Srinagar?

A. There are nine Magistrates.—

The Governor,
The Additional District Magistrate,
The City Magistrate,
The Munsiff Magistrate,
Sub-Divisional Magistrate,
Tehsildar Magistrate,
Registrar, Small Cause Court,
Sub-Registrar Magistrate, and
Naib-Tehsildar Magistrate.

Q. Did it strike you at the time that the four most important Magistrates were locked up at the Jail?

A. No. It did not strike me.

Q. Will you be surprised to know that at about 3-15 or 3-30 p. m. a considerable difficulty of finding a Magistrate to send to the Palace was felt?

A. There was a Sub-Divisional Magistrate and the other Magistrates too.

Q. Is it your opinion that the other Magistrates were considered as competent if the four important Magistrates were locked up at the Jail?

A. There was however a Sub-Divisional Magistrate who may be supposed to exercise equal authority.

Q. Did you know that P. Satya Lal, Magistrate, had gone to the Jail to give evidence?

A. No. I did not know.

Q. Whose permission has Satya Lal to take to go to the Jail as a witness?

A. Either mine or that of the Sessions Judge.

Q. Did he not take your permission?

A. No.

Q. Did it strike you that four Magistrates being locked up there in the room of the Jail, it was necessary that two or three may be sent away?

A. This did not strike me. Further it was not possible for any of the Magistrates to get out through the crowd.

Q. When the Governor himself was a Magistrate, why did he take you with him?

A. I do not know. Possibly his intention was to leave me in charge of the Jail.

Q. Did you know that Mr. Bhim Sain was at the Jail?

A. Yes. I did send him.

Q. Did you think it a reasonable order at the time having mentioned the excitement of the crowd in your statement just now that a Magistrate would not have dared to pass through the crowd, that certain members of the crowd should be arrested?

A. The arrest of some members of the crowd was the only solution of the situation if the dignity of the law had to be maintained.

Q. Did you think that the dignity of the law was maintained by four Magistrates remaining inside of the room of the Jail gate and not going out?

A. We were under the orders of the District Magistrate who did not order us to go.

Q. Could you remember when the telephone wires were cut?

A. So far as I remember this was after the firing at about 2-30 p. m.

Q. Was the Fire Brigade phoned for?

A. Yes.

Q. When did you become cognizant of the Police Lines being set fire to?

A. Either about the end of the firing or immediately after.

Q. You have said that there was firing twice; what do you mean by that?

A. I mean there was a series of firing and after that a second series of firing. I cannot tell how often the Governor ordered the firing separately. I heard him giving only the first order. After that, as I went down, I did not hear any other order of firing. I came to Amira Kadal in a car. So far as I remember I left the Jail at about 4 p. m. With me was the Public Prosecutor, and others.

Q. Did you know before you left the Jail that the Maharajganj had been looted?

A. No.

Q. Did you see I. G. P. arrive at the Jail?

A. Yes.

Q. Did you see anything of the loot at Maharajganj?

A. No. Mr. Wakefield also arrived at the Jail during my presence. He also did not say anything about the loot in Maharajganj Bazar.

Q. Where did you go from Amira Kadal?

A. From Amira Kadal I went to the house of the Governor.

Q. Were you present at any other riot, or loot or shooting?

A. No.

(Sd.) BHAGAT RAM,

Additional District Magistrate, Srinagar.

Certified that above statement was read over to the witness and was admitted correct by him.

4th August 1931.

(Sd.) RAM NATH SHARMA,

Secretary Enquiry Commission.

WITNESS No. 10.

Pt. Kishan Lal Kichlu, Sessions Judge, on S. A.

3rd August 1931.

This is my written statement (Ex. 17).

Q. Was not the hasp of the Jail iron gate broken in your presence while the crowd tried to rush inside the Jail as you entered the iron gate?

A. No. It did not happen as described by the Chairman. No one tried to enter the iron gate as I entered.

Q. Then what is your information as to the breaking of the hasp of the gate?

A. After my car entered the compound the woooden gate was closed and I noticed some people out of the crowd trying to force it. I saw this while I was in the compound. Then I had a talk with the Jailor who took me to the room in the ground floor where it was intended that the trial should be held. Mr. Nanak Chand and Mr. Ghulam Mohammed Pleaders met me as I went to the room.

A short time after I entered the room Mr. Abdulla and Pir Qamar Din came to the same room. I told Nanak Chand and Ghulam

Mohammed to ask the crowd to disperse. They came back and said that the crowd would not listen to them. I requested Mr. Abdulla and Pir Qamar Din to use their influence with the Mohammedan crowd and told them to disperse them. At this time I saw some of the crowd going out of the wooden gate that is out of the compound. I went with the Jailor to the main gate where the District Superintendent of Police met me. It was there that the Jailor showed the bolt of the iron gate that had been damaged.

Q. Did you understand whether it was done after you arrived at the Jail?

A. The Jailor reported that after I went inside the room the people rushed at the gate and damaged the bolt. The bolt so far as I was informed had not actually come out but had been damaged.

Q. Did you see any of the crowd trying to force or enter the iron gate?

A. No.

Q. Did you hold the trial on that day?

A. No, it was not possible to hold the trial on that day.

Q. What did you think was the desire of the crowd that had collected at the Jail?

A. The Jailor told me that the crowd wanted to enter the Jail and they wanted to have a *deedar* (a look at the face) of the accused.

Q. How far was the room where you went from the gate?

A. The room was about a 100 feet or a little more from the gate.

Q. Did not it surprise you that you should not have heard the rush of men on the gate?

A. I heard a lot of shouting while in the room and that is why I spoke to Mr. Abdulla Pleader.

Q. How many minutes you think you were in the room?

A. I must have been in the room for five or ten minutes.

Q. So far as you are aware you did not see the crowd near the iron gate?

A. I did not see the crowd close to the iron gate at any time.

Before entering the iron gate I had first gone to the civil shed where it was first proposed to hold the trial. It is marked on the plan (Ex. 8).

Q. You think that the crowd attacked the iron gate while you were looking at the civil shed?

A. It was while I was in that room that the assault on the iron gate was made. This was the room I meant when I said that I went inside the room. This room is outside the iron gate and not within it.

Q. When did you leave the Jail?

A. I left the Jail some time between 3-30 and 4 p. m.

Q. Had the rioters dispersed before you left?

A. This was after the rioters had dispersed and the Military had arrived.

Q. Before leaving the Jail did you hear that Maharajganj had been looted?

A. No.

Q. Where were you when the firing took place?

A. I was in the room above the gate at the time. The District Magistrate was not in the same room.

Q. Did you hold this trial in your Court at any time?

A. Previous to the 13th of July the trial of Abdul Qadeer was held in my Court-room at the Sessions Court.

Q. Do you remember whether crowds of Mohammedans collected there?

A. A large number, almost entirely Mohammedans, collected in my Court-room to watch the trial.

Q. Did they make any noise or shout at the time?

A. Once in my court room the crowd shouted some thing like "Allah-O-Akbar". They were, however, told not to shout and they did not shout afterwards. In the compound, however, cries were raised.

Q. Did you hear any cries?

A. I did hear some cries of the crowd in the compound but I did not make out what the cries were.

Q. On an average how many Mohammedans do you think attending to your Court-room?

A. I think that 500 men must have crowded into my Court-room.

Q. Did you see the crowd in the compound?

A. I had no occasion to see the crowd in the compound. I used to arrive at 10 and my Court used to commence at about 9. I used to leave sometime after the close of the trial for the day, so I did not see any crowd at that time either.

Q. What was the principal reason that the trial was ordered in the Jail?

A. The Governor wrote to me that there had been demonstration while the accused was being brought to Court and taken back to the lock-up at the Police Station of Kothi Bagh.

Q. What was the attitude of the crowd in your Court? Did you think that it was necessary to hold trial of the accused in the Jail?

A. There was a good deal of excitement among the crowd and in my Court-room also.

Q. What do you mean by excitement?

A. Once or twice they shouted "Alah-O-Akbar".

Q. Was the excitement of such a nature that it made it impossible for you to hold trial of the accused in your Court?

A. No, it was not of such a nature, otherwise I would have taken action myself. It was at the suggestion of the District Magistrate that the trial was held in the Jail.

Q. When the trial of Abdul Qadeer was held in your Court-room, did any member of the crowd make any sort of remarks against the Court?

A. It was reported to me by the Public Prosecutor that some threatening remarks were made in regard to him.

Q. Is Abdul Qadeer's trial completed ?

A. No. It is nearing completion.

Q. Did you have any occasion to go to the Jail after the 13th of July ?

A. Yes, I had occasion to go to the Jail after the 13th of July for the hearing of the case.

Q. Was any crowd collected during any of the subsequent hearings?

A. No.

(Sd.) KISHEN LAL KICHLU,

4th August 1931. *Sessions Judge, Kashmir.*

Certified that the above statement was read over to the witness and was admitted correct by him.

(Sd.) RAM NATH SHARMA,

4th August 1931. *Secretary Enquiry Commission.*

WITNESS No. 11.

Lala Karm Chand, Jailor, Central Jail Srinagar, on S. A.

4th August 1931.

This is a correct copy of my report (Ex. 19) to the Superintendent of Jails, Dr. H. L. Tikku.

A (*kunda*) of the iron gate was broken after the Sessions Judge arrived. I was present at the iron gate all the time but I did not notice this (*kunda*) being broken. One, out of the four bolts on the inner side of the iron gate, was missing. The officiating Deputy Jailor, P. Ragho Ram, drew my attention to this fact. The bolt was not found at all at that time. The gate would not open by the removal of only one bolt because there were three other bolts. The Sessions Judge was upstairs in the office room when this bolt was found to be missing.

Q. I called you especially to obtain from you information as to when was the actual assault of the crowd made on the iron gate?

A. I was present on the inside of the gate. I saw 50 or 60 men out of the crowd coming up and pushing the gate as if they wanted to force it open. Several climbed up on the iron gate. They tried to reach the window of the office room.

Q. What was the Police force at that time?

A. At that time there was only the Jail Guard available. The extra Police had not then arrived. The Jail Guard by great endeavour pushed back this portion of the crowd outside. The Sessions Judge was at that time in the Civil Ward. This was the place where it was contemplated that the trial of Abdul Qadeer should be held.

Q. What do you think was the intention of the crowd, when portion of it attacked the iron gate? Whether you thought they desired to rescue all the prisoners of the Jail or whether their desire was to attend the trial of Abdul Qadeer?

A. They all shouted "This Abdul Qadeer who is our brother of Rai Barelli should be released". Some of them shouted, that he was their brother of Pindi. If he is not to be released they shouted, that they

should be permitted to enter the Jail and to be imprisoned themselves. I explained to them that it was not within my authority to release Abdul Qadeer. He may be released either by the Sessions Judge or by His Highness the Maharaja Bahadur to whom the crowd may appeal. From the attitude and cries of the crowd I apprehended that they desired to rescue Abdul Qadeer and to release all the prisoners of the Jail. For this reason I took all the prisoners away from work and locked them up. I ordered the Jamadar to do so.

Q. What was your impression in detail?

A. My impression was that the crowd desired to have a forcible entry into the Jail in order to release the prisoners.

Q. Was there any other subsequent attack on the iron gate?

A. No. There was only this one attack. When the Sessions Judge arrived the crowd was on the other side of the wooden gate. The wooden gate was opened to admit the Sessions Judge's car on which some of the crowd had climbed. After the car entered it was with some difficulty that the wooden gate was again closed. People entered the compound over the wall and over this gate, when they attacked the iron gate.

Q. Can you remember the time when the telephone wires were cut?

A. I remember that the time was about after 3 p. m. It was sometime between 3 p. m. and 3-20 p. m. when, as I have already stated in my report, that the Military arrived.

Q. Have you any memory when you heard that Maharajganj was looted?

A. So far as I remember I heard of the occurrence after all the officers had left *i. e.* at 4 p. m.

Q. Was the Jail Guard armed?

A. No. There are 20 or 25 muzzle-loading guns of old type which I can say are worse than *lathis*.

Q. Did you ever bring this state of unsatisfactory affairs to the notice of the higher authorities?

A. Yes. Several times. The authorities were also requested that the Police force stationed at the Central Jail should be furnished with Henry Martinsan Rifles with proper ammunition.

Q. What were the weapons used to drive the crowd with when it reached the iron gate?

A. Some of the Police had battons. Others had nothing at all. Further I would bring it to your notice that there is a dual control over the Jail Guard at the Jail. The Superintendent Jail is not competent to inflict any punishment for any fault on the Police while the matter has to be reported to the Superintendent of Police who may take such action as he deems fit himself without informing us of the result and it is always the case.

Q. Is your Jail Central Jail?

A. Central Jail.

Q. Are there any other Jails in the Province of Kashmir?

A. There is a Sub-Jail at Muzaffarabad. In other places the prisoners are kept in Police Lock-ups.

However short the punishment may be the prisoner is sent either to Muzaffarabad or to my Jail. At Muzaffarabad persons up to six months are kept.

Q. At the time of the assault on the iron gate were there only the usual 19 men on duty or practically the whole force was out?

A. I think nearly the whole force was out at that time.

Q. Was the *kunda* said to have been broken towards the inside of the iron gate?

A. Yes.

Q. What you think must have happened to the *kunda* as you say it was not found?

A. It must have been taken away by some body.

Q. What is your impression about the disappearance of the *kunda* and what was it made of?

A. It was an iron *kunda* and might have fallen somewhere through the pressure of the crowd. I cannot say for certain.

Q. Did you see that all the four *kundas* of the gate were on the iron gate before the arrival of the Sessions Judge?

A. I did not see all the four *kundas* there that was the duty of the *Darban*. The *Darban* never informed me that any of the *kunda* was missing.

Q. How many officials were injured or wounded before the firing was ordered?

A. About 8 or 10.

Q. What was the nature of the injuries of these persons?

A. One of them who was a Pandit was seriously injured and the other a Sikh was also said to be seriously injured.

Q. Did you see any persons being killed or wounded during the firing?

A. No. I did see the firing but I did not see any body falling down.

Q. Could you say how many rounds were fired?

A. I do not know.

Q. Did anybody of the officials wounded die in Jail.

A. No.

(Sd.) K. C. CHAWALA,

4th August 1931. JAILOR,

Central Jail, Srinagar.

Certified that the above statement was read over to the witness and was admitted correct by him.

(Sd.) RAM NATH SHARMA,

4th August 1931. *Secretary Enquiry Commission.*

WITNESS No. 12.

Sh. Abdul Majid, Superintendent Fire Brigade, on S. A.

4th August 1931.

This is my written statement (Ex. 20).

Q. Where is your fire station ?

A. My fire station is at Gao Kadal a short distance from this place.

Q. From which way did you go to the Central Jail ?

A. I did not go *via* Maharajganj. I went by Dal Gate. I had 10 or 12 firemen with me. We all went on the engine and the tender attached to it. The men sit in the tender and the engine is the trailer.

I have to drive through the broad roads because the trailer and the engine make up a length of 30 ft.

I met the crowd first at the Kathi Darwaza.

Q. Was any of your firemen injured ?

A. No. I did not pass the Rainawari fire station. The Rainawari fire engine did not meet me on the way. I had phoned only to Rainawari and Maharajganj fire stations. Neither reached the Jail.

Q. About what time was the helmet of a fireman brought to you as you have stated in your written statement ?

A. The time was about 2-35 p. m. then.

When I arrived at the Jail there was no collection of men exactly at the Jail. As I proceeded beyond Kathi Darwaza towards the Central Jail I passed two or three *charpois* on which were men. I could not say whether the men on the *charpois* were wounded or dead. Most likely they were wounded men.

Q. How did you know the time when the phone message arrived ?

A. I learnt this on enquiry afterwards because the time of the arrival of the message is recorded at the fire station.

Q. How long did it take you to reach the Central Jail ?

A. Possibly 9 or 10 minutes. It won't take more than 30 or 45 seconds to start from my fire station.

Q. Did you see the Rainawari and Maharajganj fire engines which stopped on the way ?

A. Yes. They are both dragged by men. They are not motor engines. When I saw them they had been disabled. It looked as if stones had been thrown at them and struck them. They had been damaged in certain places.

Q. What was the reason that the engines did not arrive from Rainawari and Maharajganj ?

A. My information was that the Rainawari and Maharajganj engines were left because the men who were dragging them were attacked and bolted away.

Two men of Rainawari fire-engine arrived at the Jail and I think two or three of the Maharajganj engine. They must have arrived after

half past 2 at 2-36 or 2-37 p. m. The trousers of one of the men was stained with blood otherwise I did not notice any mark of hurt on these men. The fire engine of Maharajganj is stationed at Ganj. The fire engine is situated just outside the square of the market.

Q. Did you hear of the loot at Maharajganj while you were in Jail?

A. No. Of the Maharajganj firemen Ghuffar Dar driver and Ahmad Sheikh fireman arrived at the Jail.

Q. Did they tell you at the time that there was a row at Maharajganj also when they left the fire station?

A. No. I heard of the loot at Maharajganj when I went to the Maharajganj fire station to enquire after the men who I heard had been injured. This was about at 5-30 p. m.

Q. How many men did you encounter at Kathi Darwaza?

A. They may be any number betwen 60 and 100. These men did not throw stones at my engine. They nearly shouted and tried to come in the way but as the speed of the engine was increased they cleared out of our way.

Q. Did you make out what the cries were?

A. No.

Q. Do you remember whether these men carried *lathis* or not?

A. So far as I noticed I did not see any *lathis* in their hands.

Q. What class of people were they, Hindus or Mohammedans?

A. I thought they were Mohammedans.

Q. In your written statement you have described the incident of firing on your way to the Central Jail?

A. I have said there that I was in a lorry with armed policemen. I did not notice at the time that after the firing one man fell.

Q. Do you know how many rounds were fired from the lorry?

A. So far as I can remember I think three or four men fired and they fired twice.

Q. What was the extent of the crowd?

A. That crowd also I encountered at Kathi Darwaza. Possibly they were 150 men.

Q. How it was feared that these men would attack the lorry?

A. They threw stones at the lorry. The glass screen in front of the lorry was broken by a stone. Nobody inside the lorry was injured.

Q. Was it a hired lorry?

A. It was a hired lorry chartered by the Police. The driver was a Sikh. I cannot remember the number of the lorry.

Q. Was there any officer in the lorry?

A. I think there were two Sub-Inspectors, one Th. Mian Singh and the other P. Jia Lal Durbari.

Q. Did anybody order firing?

A. I did not hear any one ordering.

Q. Who fired ?

A. The policmen fired. So far as I remember the Sub-Inspectors did not fire. They had no guns with them. Possibly one of them had a gun but I am certain that the other had none.

Q. Was firing started only on one stone hitting the lorry ?

A. I cannot tell whether only one stone hit the lorry or more. I noticed the one that struck the glass.

Q. Did the policemen fire when the wind screen was broken ?

A. Yes.

Q. Who is your immediate superior and did you report this incident to him ?

A. I deal directy with the Minister Mr. Wakefield. I did not report the matter to him because it was not a matter within my department.

Q. Did any of the policemen warn the crowd that fire will be opened if they persisted in throwing stones ?

A. There was no question of talking to the crowd. The lorry was travelling all the time. No warning was given.

Q. Did you speak of this matter unofficially to any of the Police officers ?

A. No, I knew that the policemen would have to account for the ammunition and would tell their superior officers.

Q. Did you speak generally of this firing from the lorry ?

A. At the time there was a general talk about the riot and I did speak generally about this incident.

Q. You said three or four men fired and they fired twice. Does it follow that at least six to eight cartridges were fired ?

A. I think so. My impression is that the guns were repeaters as there was a magazine attached.

Q. While you were still at the Jail did you receive any information that the Printing Press of the Jail had also been set fire to and did you take any action to extinguish the fire there ?

A. No.

Q. What was the extent of the damage at the Police Line of the Jail ?

A. "About one square feet of the Police Line was damaged" and it was still burning when I arrived there with the fire engine. The amount of the loss must have been six to seven rupees. Apart from that no other damage was done to the Police Line by fire.

(Sd.) ABDUL MAJID,
SUPERINTENDENT,
Fire Brigade, Srinagar.

Certified that the above statement was read over to the witness and was admitted correct by him.

(Sd.) RAM NATH SHARMA,
Secretary Enquiry Commission.

6th August 1931.

WITNESS No. 13.

Pir Qamar Din Vakil, on S. A.

This is my written statement which has been read over (Ex. 21).

Q. Did you reach before or after the Sessions Judge at the Jail?

A. The Sessions Judge passed me on the road. I must have arrived at the Jail 10 or 15 minutes after the Sessions Judge.

Q. About what time did you leave the Court?

A. I left the Court at 5 minutes past 12 in a tonga. It must have taken me about half an hour to reach the Jail.

Q. At what time prayers are offered by the Mohammedans?

A. The prayers were commenced at 2 p. m.

Q. What was the time when the Mohammedans collected to say their prayers?

A. It was nearly 2 p. m.

Q. Was so much time spent between your arrival and your going out from the Court—about an hour and a half?

A. Yes, by the time I went out it was 2 p. m.

Q. Did you join the Mohammedans in prayer?

A. No, I had to attend to the defence of the case, so I did not wait and went inside. I went to the upper room through the iron gate.

Q. Was the case proceeded with?

A. No, the prisoner was not brought either to the lower room outside (civil shed) or to the upper room.

Q. Were any proceedings in the case recorded on that day?

A. No. The prisoner was not brought out of his cell.

Q. How many legal practitioners appeared on behalf of the accused Abdul Qadeer?

A. There were Maulvi Abdulla Sahib Vakil, myself, Lala Nanak Chand and an LL. B. Ghulam Mohammed had accompanied Maulvi Abdullah.

Q. Did you hear the Governor to give order for firing?

A. No. I saw the firing and heard it.

Q. What did you see about the prayers of the crowd?

A. One man stood on the gate of the grove and cried Azan (calling to prayers).

Q. Did you see the crowd saying prayers at the time?

A. No. There were two walls between my window and the grove, so I could not see.

Q. What did you see of the catching of the men of the crowd?

A. I saw some men being caught and brought inside the gate.

Q. Did you see any stone being thrown by the crowd while the arrested men were being brought inside into the Jail?

A. No.

Q. How many men, did you see, were arrested and brought into the Jail?

A. 14 or 15 men.

Q. After what time from the bringing of the men into the Jail the firing stopped?

A. After 3 or 4 minutes.

Q. Did you see the Mohammedan Deputy Inspector-General of Police Sheikh Aziz Din crying to the crowd that it was an unlawful assembly and must disperse?

A. No.

Q. Did you notice the D. I. G. Police at the Jail on that day?

A. No.

Q. What officers did you notice on that day ?

A. I saw the Governor when I returned from the crowd in Jail grove and I saw also City Munsiff, Additional District Magistrate, and Munsiff.

Q. Which of the Police officers did you notice there?

A. I noticed only Mr. Thappa the Police Officer on spot.

Q. Were you in the same room as the Governor?

A. Yes. I was in the same room as the Governor, who ordered that the men who were in the compound be arrested.

Q. Did any portion of the crowd go right up to the iron gate?

A. No. So far as I saw the crowd was always at some distance away from the iron gate.

Q. Were you in the room where the Governor was at the time of firing?

A. No. I was in the room of the District Judge.

Q. According to your statement there was necessity of firing and possibly you expressed your surprise to the District Judge about the firing?

A. I said nothing to the District Judge at the time of firing.

Q. You are a human being just like me. At such a juncture, in your position, I would have expressed surprise at such an act of firing. Why did you not say anything?

A. I knew that there was *Hakim Log* who were entitled to order firing, so I said nothing.

Q. Had you previously during your life any occasion to witness such a firing?

A. Never before.

Q. In spite of this, is it not strange that you should not have expressed surprise to the District Judge at the time of firing?

A. I did not make any submission to any one at the time.

Q. At about what time did you leave the Jail?

A. Probably at about 4 p. m. There was a dust storm at the time.

Q. Did you hear of the Maharajganj loot at the Jail?

A. No. I did not even know ; some dead bodies I met on the way. From the Jail all four of us were walking towards our home. Four of us left the Jail, all four pleaders mentioned above including L. Nanak Chand. When we reached Makbara, L. Nanak Chand was with us. Two dead bodies had been detained by the Military in a lorry when I intervened and obtained permission that the dead bodies be allowed to be carried away, but I do not know whether the two dead bodies were actually allowed to proceed forward or not. I simply told the Military men to let them pass and then went on. At Mullakha I met two more dead bodies.

Q. When did you reach home?

A. I saw two more dead bodies at Shah Hamdan. I have recorded their names, Ahmdoo and Shahban. At Fateh Kadal Maulvi Abdulla went across to his own house and Ghulam Mohammed and I took a tonga and went home. Mr. Nanak Chand left us. He got a tonga at Navid-kadal. I reached home at sometime between 5-30 and 6 p. m. I cannot tell the exact time.

Q. Did you have occasion to pass Maharajganj on your way?

A. No.

Q. Were you present at any other firing during the days of riot?

A. No.

Q. Have you any idea as to how many persons were killed and wounded at the Jail?

A. I saw 11 dead bodies at the Juma Masjid the next day and one body was brought directly to the burial ground.

Q. Did you ascertain the names of the 11 dead bodies?

A. Yes. I put in a list of 18 persons who were killed in the week.

Q. Does this include the name of the man whose dead body was brought direct to the Maqbara?

A. Yes. Probably it does. I have already spoken of 12 dead bodies the six more were killed in the city.

Q. Does this list include the man who was killed at Nawa Bazar on Wednesday the 15th of July?

A. I cannot tell.

Q. Did you prepare this list yourself?

A. No. Someone gave it to me.

Q. Who gave the list to you?

A. A Mohammedan gave it to me. I do not remember his name.

Q. When was the list given to you?

A. The list was given to me on 16th or 17th of July. I know that the Jail occurrence took place on the 13th.

Q. Did you prepare a list or got prepared of the wounded?

A. I did not. I do not know the number of the wounded.

Q. Did you hear cries of the fire?

A. Yes. I saw the building. There was hardly any damage done. 2 or 3 planks were charred. No pane or glass was broken.

Q. You said that you did not see the D. I. G. at the Jail on the 13th of July. Did you see any other officer addressing the crowd and declaring that it was an unlawful assembly and must disperse ?

A. I did not see any such declaration being made by any officer.

Q. Did you see any Lathi charge being made on the crowd by the Police before the fire was opened ?

A. No. I was present there all the time but did not see any Lathi charge being made.

Q. Could you say how many rounds were fired at the Jail ?

A. No.

Q. Did any of the crowd insult you at the time when you addressed them and asked them to get out of the compound ?

A. Nobody insulted us. Every body quietly did as they were asked to do excepting one man who was lying on the ground.

Q. Do you know the man who had fallen down in the compound ?

A. No.

Q. You said that stones were pelted after the order to fire was given. Is that so?

A. Yes, stones were thrown during the fire and not before.

Q. Could you say how long the firing continued for an hour or half an hour ?

A. I cannot.

Q. Were any stones thrown by the crowd before the firing was ordered ?

A. No.

Q. Did you see Pt. Kishan Lal Kichlu at the Jail ?

A. Yes. I went to his Court.

Q. Did you tell Mr. Kichlu that the crowd would not listen to you ?

A. No. I did not tell him so.

(Sd.) SYED PIR QAMAR-UD-DIN,

Vakil.

Certified that the above statement was read over to the witness and was admitted correct by him.

7th August 1931.

(Sd.) RAM NATH SHARMA,

Secretary Enquiry Commission.

WITNESS No. 14.

Maulvi Mohammed Abdullah Vakil, on S. A.

4th August 1931.

This is my written statement (Ex. 22) and it is correct.

Q. Are you considered to be one of the leaders of the local Mohammedans?

A. No. There is a section of the Ahmadiya religion of Lahore and men of that section come to my house to listen to the recital of the Quran. That is all. I am not considered to be a leader.

Q. In what capacity did you go to the Jail on 13th of July?

A. In my capacity as defence counsel of Abdul Qadeer.

Q. When did you reach the Jail that day?

A. I started for the Court at about 10-30 a. m. Possibly I reached the Jail at 11 a. m.

Q. Was there any collectiou of men at the Jail at the time?

A. No. There was a collection some distance away. I noticed about 100 men collected on the road at some distance away from the Jail Police Lines. I passed by this collection of men. I questioned one of these men what they were doing there and the reply was that they had come to attend the proceedings.

Q. Did you say anything to them when you knew that the proceedings would not be public?

A. As is my usual custom I told them that they had left their own work and come there uselessly and had better go away. I went inside the courtyard and sat near the Jailor who was sitting under a tree. The Sessions Judge arrived a long time after I was there—possibly it was one p. m. or 1-30 p. m. I noticed that with the car of the Sessions Judge two or three thundred men entered the courtyard of the Jail. It must have happened that after I came within the compound more men must have collected outside the compound. The Sessions Judge went to the room outside the Jail where the trial had been arranged to take place. I also went there. The Sessions Judge told me "These men who have come are ignorant." "Instruct them to keep quite and not to make noise". I got upon a table and admonished the crowd and said "It is not right of you to collect here. You will not be able to attend the proceedings. Your presence here is a *Gunah* (unlawful). You had better go away". On hearing this the entire crowd went out of the compound. One man had fallen down on the ground. Two or three men remained round him saying that they will remain here to look after him.

Q. Did you tell the Sessions Judge at any time that the crowd would not listen to you?

A. I did not say to him in these words. What I said was "These are ignorant men. They wo'nt listen to an order. I shall have to persuade and explain matters to them."

Q. When did you say this, before or after you got on to the table?

A. I said so before I got on to the table. I said so for fear the crowd may not ultimately listen to me. I said so by way of a safeguard.

Q. How many men did you notice were arrested and taken inside the Jail?

A. So far as I noticed four or five men were arrested and brought in.

Q. How long after these men were brought in did the firing start?

A. At most four or five minutes after.

Q. Did you see the crowd throwing stones when the arrested men were being brought into the Jail?

A. No. I saw stones being thrown for the first time after the firing started.

Q. Can you recognise Sh. Aziz-ud-Din, D. I. G. P., by sight?

A. Yes.

Q. Did you see him at the Jail on that day?

A. Yes, I saw him once.

Q. Did you see Sh. Aziz-ud-Din going towards the crowd and crying to the crowd "You are an unlawful assembly and must disperse"?

A. This is quite false. (یہ بالکل جھوٹہ ہے). He never went out to say anything to the crowd. (The witness adds). Sh. Abdul Rahim an officer of the Police, whose office I do not know, requested me that these men who have collected in the grove of the Jail should also be told to disperse. I went with Sh. Abdul Rahim to that crowd in the grove. I requested Gulam Mohammad to recite a verse of the Quran. He did so and I explained to the crowd that it is not proper for the crowd to remain there and that they must go away. They promised to go away at once after saying prayers and requested that permission may be granted to them to say prayers. Upon this one man Khaliq called out *Azan* (call to prayer). I returned then to the courtyard of the Jail. At this time I noticed the Governor, the D. I. G. and other officers just outside the iron gate. We all went through the gate upstairs. I went to the room where the Sessions Judge was. The men were preparing to say prayers. The *Azan* was cried. Some men went for *Wazu* (washing). During this time this unfortunate thing happened.

Q. What unfortunate thing?

A. (*Kharkhasha*). The arrests.

Q. As regards the man who was crying *Azan* Mr. Thappa told the Governor that this man was lecturing and exciting the crowd. Did you contradict Mr. Thappa?

A. Mr. Thappa is not friendly to me. The opinion of the Governor also is against me. I therefore said nothing at the time. I was afraid that if I said anything I also might be arrested and put into the Jail.

Q. When you thought that your relations were not friendly with Mr. Thappa and the Governor, is it not strange that you should have gone to speak to the crowd at the grove?

A. No. Mr. Thappa and the Governor had not arrived then and also I went in the company of the Police officer and not alone.

Q. When their sentiments are not friendly towards you, is it possible that you may be giving this evidence which you impeach them by reason of such unfriendly relations?

A. The fact is that their sentiments are unfriendly towards me. My own feelings are not unfriendly towards them.

Q. Did you when the four men of the crowd were brought in notice a wounded constable was being brought in?

A. No. I did not see that constable coming in wounded but during the firing and after the firing started and stones were thrown, I heard that a constable was wounded.

Q. When the firing started, did that crowd turn their backs towards the Jail and run?

A. The prayers had not started then.

Q. When the officials went out with handcuffs to arrest the crowd which was at the time offering their prayers, did the crowd turn towards the Jail to face the officials?

A. When the arrests were made shouts were raised "why are these men arrested". At this juncture firing commenced.

As soon as the firing started the crowd bolted stones and brick-bats come from the two sides while the firing lasted.

Q. Did you hear the Governor give order of firing?

A. No. He was in one room and I was in another, though I did hear from the next room his previous order for arrest.

Q. Was the firing continuous or were there breaks in each round of firing?

A. The firing was continuous.

Q. How many rounds were fired?

A. I cannot tell the exact number, but there was continuous firing four or five times. (The witness added) Khaliq Shora who was the man who gave the call of prayer had, at the time of firing, gone to the road. I noticed that one Police man aimed at him. He was standing. He was hit in the front and fell. The Police man sat down and aimed at him.

Q. Did the Police men pick out a particular man or was there general firing?

A. This was the only case of individual firing. By appearance he appeared to be a Mohammedan. I do not know his name. I cannot be certain but it is possible I can identify him.

Q. When did you leave the Jail?

A. At 5 or 5-30 p. m.

Q. Did you hear of the occurrence of Maharajganj before you left the Jail?

A. No. On the other hand, I heard the Governor instructed the cavalry that they should go to the city and disperse the crowd. That the cavalry should go to Maharajganj and Vicharnag.

Q. Did you go home then?

A. Yes. When I reached close to Maharajganj, I heard there was a riot (*Fasad*) between the Hindus and the Mohammedans.

Q. Did you go to the Maharajganj Bazar at the time?

A. No.

Q. Does not your road lie through the Maharajganj Bazar?

A. No. The bazar is left one side.

Q. Did you pass through Bhuri Kadal ?

A. I passed by a bridge (Kadal) but I cannot remember its name. I put Nanak Chand in a tonga there with a Mohammedan Ghulam Mohammad to see him home safe.

Q. Did you depute a Mohammedan to accompany Nanak Chand apprehending that there was fear to Nanak Chand from Mohammedans ?

A. No. That was not my idea. I simply sent a man along with Nanak Chand so that he may be of use in case of necessity.

Q. Did you notice anything particular on the way home ?

A. I only saw dead bodies twice. I noticed one corpse or two corpses below the fort. I did not go near. One I noticed in the city when I came near my house. The dead body was being taken to the Juma Masjid.

Q. Was an attack made on the iron gate at the Jail ?

A. No.

Q. When the firing was ordered was any crowd inside the gate ?

A. No.

Q. Where was the crowd ?

A. In the garden.

Q. Am I right in thinking that in the front of the iron gate of the Jail there is a walled enclosure. On the other side of which there is another wall and behind this wall there is a garden in which you say they had pitched ?

A. Yes. That is quite right.

NOTE.—The witness added that the firing lasted for 15 minutes or half an hour. The firing was directed to the right, to the left and in front and all this lasted for half an hour.

Q. Did you know how many persons died as a result of firing ?

A. Next morning I went to the Juma Masjid and I found 10 of 11 corpses there. I joined in the reading of the *Jinaza*.

Q. Did you know any other persons who were wounded or killed ?

A. Yes. I was told that 3 persons were wounded one of whom died. This was in Nawa Bazar. I further learnt that the nose of child had been cut and the body had been thrown into the river.

Q. How long did the stoning last ?

A. About 10 minutes. There was no stoning before the firing and after firing commenced it continued for 10 minutes only.

Q. Did you hear of any alarm about a fire ?

A. No. I was in the room.

NOTE.—The witness added when I was going away I heard two rumours, (1) that the Police had themselves burnt and charred a portion of the roof and another that some of the crowd had set fired to the *chapper* as it passed by.

Q. Did you hear or see any other wounded Police man except the one referred to above ?

A. No.

Q. Did you see Fire Brigade and Fire Engine there?

A. I was in the room. I did not see it in the compound.

Q. Was there any loot in the Maharajganj?

A. I did not go there at all. I was told by Dr. Abdul Wahid that he was beaten by Khatris, by a Policeman and by a Military man and that his shop was looted. I also learnt that the loot at Maharajganj was a propoganda of Khatris to implicate Mohammedans.

Q. You said that D. I. G. of Police, Sh. Aziz-ud-Din, did not address the crowd and declare them as an unlawful assembly. Did any other officer address the crowd and declare them an unlawful assembly and warn them to disperse or they would be fired at?

A. No officer addressed the crowd and no such declaration was made by any officer.

Q. For the arrest of the crowd which you have described the Policemen went with hand-cuffs to effect, did any officer accompany the Policemen?

A. Only Policemen went to arrest. No officer accompanied.

NOTE.—I specifically asked whether the D. I. G. and Mr. Thappa went, the witness answered in the negative.

Q. Was any Lathi charge made by the Police on the crowd, before the firing was opened?

A. No. No Lathis were used.

Q. When the Governor (District Magistrate) and the D. I. G. arrived at the Jail was not, the *kunda*, said to have been broken, of the iron gate shown to them in your presence?

A. No. No mention of any *kunda* was made in my presence.

Q. Did the Governor order you after the firing that you will not leave the Jail premises till further orders?

A. No, I was not given any such order by the Governor.

Q. Were you ordered by any other officer to remain at the Jail until further orders?

A. No.

Q. Was any noise made by the prisoners inside the Jail at any time before the firing was ordered?

A. There was only noise on one occasion when some of the persons arrested from the crowd were being taken into the Jail.

Q. After some of the persons from the crowd were arrested and taken inside the Jail what was it in your opinion that led the Governor to order firing?

A. When the arrested persons were being taken inside the Jail some of the crowd shouted as to why innocent persons were being taken inside the Jail. (The witness added). Mr. Thappa gave such an exaggerated account of what the crowd did before the Governor arrived that the Governor got angry and ordered firing. That is the true reason for the firing.

Q. Did you hear this conversation between Mr. Thappa and Governor?

A. As I was passing by I heard Mr. Thappa telling the Governor that the crowd came forcibly jumping over the wall and attacking the outer wooden gate.

Q. What was the exaggeration or falsity in this?

A. The only incorrect part is that the people jumped over the wall. Nobody jumped over the wall. Whoever came in entered through the wooden gate. I did not hear the entire conversation between Mr. Thappa and the Governor.

General Questions.

Q. Though it may not be a mark of honour for you to sit with us for an enquiry all the same you were selected to sit with us and enquire and inform His Highness the Maharaja Bahadur as to the necessary recommendations

(1) for restoring communal peace and harmony as quickly as possible, and

(2) for prevention of such deplorable occurrences in future.

So I would request you how to give your opinion on those two points.

A. In my opinion the Mohammedans have full trust on His Highness the Maharaja Bahadur and the laws which the Sarkar has enacted for the betterment of the people the Mohammedans have full confidence in those laws. The complaint of Mohammedans is that a section of Hindus has overpowering representation in the Government, and that section oppresses the Mohammedans.

The Mohammedans say that the market of corruption and bribery is warm in Departments of Forests and Police. Therefore the Mohammedans desire to submit to His Highness the Sarkar that the section which is ovepowering (*ghalib*) in the Government does not disclose the true facts to the Sarkar. The Mohammedans have an idea that the Hindu officers of the Police and C. I. D. by manufacturing circumstances and reporting wrongly desire to maintain the Mohammedans as slaves. For the reason whenever the Mohammedans attempt to improve themselves this section tries to put them down. When the Mohammedans recently attempted to submit their grievances the Hindu section which is in power and the Police tried to misrepresent and prevent the grievances reaching the Sarkar. The Mohammedans did not desire cow-killing and they are assured that cow-killing is not a part of the tenet of their religion. Still it has been wrongly represented to His Highness the Sarkar that when the Mohammedans ask for religious freedom the Mohammedans mean cow-sacrifice. The Mohammedans have rebutted this suggestion.

Verily the Mohammedans have this complaint not as regards His Highness the Sarkar but against His Highness' officers who are His subordinates. The complaint is that these officials do not permit the Mohammedans to make use of religious freedom. For instance notice is put up on the wall of the Juma Masjid that there should be no *taqrir*. Then questioned by the Chairman what is the meaning of *taqrir* and whether in *taqrir* you include earthly (*Duniavi*) *taqrir* also; the witness replied that there are many wordly discussions which are justified by verses of the Quran such as the improvement of women, the making of collections for the purposes of charity, or discussion as to what to eat or what not to eat or what to wear or what not to wear.

If the grievances of the Mohammedans are removed perhaps there will be no necessity in future for such discordance between the two ommunities.

Q. What is the section (*Unsar*) of His Highness' subjects which is overwhelmingly represented in the Government?

A. In the offices and the departments there is a majority of Hindus. Also among the Ministers there are Hindus and the Mohammedans say that for sympathy with them it is necessary to have more Mohammedans among the Ministers so that the Mohammedan view of the situation may be represented to the Sirkar.

Q. Suppose there are not Mohammedans of sufficient capacity to be Ministers of His Highness. What you suggest then?

A. If such is the case then the opinion of the Mohammedans is that Mohammedans may be brought in from outside.

Q. I stated as a matter of fact that since His Highness the Maharaja Bahadur came to the *Gaddi* there has been a considerable representation of Mohammedans in the Judicial services. What have you to say to that?

A. The witness questioned the Chairman whether the appointments were in proportion to the population.

Q. I will explain to you that by what you say the proportionate appointment. The appointments will be 95 per cent. of the Mohammedans and 5 per cent. Hindus. Do you or the Mohammedans go so far as that in your demand?

A. No, I do not go so far as that. All that the Mohammedans' desire is that in any one department or office there should not be such a proportion that one section can be unjust to the other section.

Q. Have you considered what particular departments there are where the representation of Mohammedans is very small?

A. The Department of Education. The particular disadvantage to Mohammedans is this that the teachers are Pandits who do not take sufficient interest in the education of Mohammedans.

Q. (Suggestion by the Chairman). Is it your suggestion that there should be separate Mohammedan and Hindu schools with Mohammedan teachers in Mohammedan schools and Hindu teachers in Hindu schools.

A. No, I have no such desire. I am content with joint schools but both among the administrative officers of the Education Department and among teachers there should be a large proportion of Mohammedans such as would not be under the subjection of the Hindus.

Q. I again put it to you that there possibly is not a sufficient number of educated Mohammedans who can fill administrative appointments in the Education Department and posts of teachers. What would you suggest then?

A. Temporarily outsiders may be appointed to remedy the temporary defect of State Mohammedans but the condition should be that if these Mohammedan officers start thinking only of themselves and not of the Mohammedan public and the Mohammedan public should complain against them, these officers should be removed.

The next department that is in my mind is the Department of Police in which Mohammedans are represented to a very small extent. The Police are tyrannical and corrupt.

They oppress tillers of the soil. In this Department there is a large majority of Hindus and that is why I think there is oppression and corruption.

Q. I put it to you out of my experience that the Police, if corrupt, would oppress and it does not go by communities; do you think that a

Mohammedan Police officer would not oppress the Mohammedan subjects of the State and a Hindu officer would not oppress a Hindu subject of the State?

A. Possibly that is correct in some way but there is sure to be some difference as to the conduct of officers whether they be Mohammedans or Hindus.

The witness then went on to say the third department, to my mind, is the Revenue Department.

Q. Are there very few Mohammedans in that department?

A. Yes. There are two Governors and both are Hindus.

Among the Wazirs Wazarat, Tehsildars and Naib-Tehsildars, there is a large preponderance of Hindus and in my opinion those officers would not do any sympathy with Mohammedan cultivators.

These are the departments which I may think of. My opinion is that when the balance of the representation of the two communities is equal, there will be no cause for discordance between the two communities.

Q. Going back to the evidence about the occurrence and speaking humanly what he described the Governor's act to be, it amounts to murder. Can you give any reason why the Governor, being a human being himself, should have acted in such a cool manner?

A. I cannot give any definite opinion but I think that in the hurry of the moment he acted with caution. I continue my answer to the question of the previous day. Even all such posts where education is not essential, a much smaller number of Mohammedans is employed.

Q. This is not an answer to my previous question. What I want your opinion upon is that, suppose the difference in the proportion of employment is very large, say, only 10 per cent. Mohammedans and 90 per cent. Hindus in a particular department, how could this proportion be rectified unless the recruitment of Hindus in that particular department is stopped entirely for a considerable number of years?

A. My opinion is that, first of all, more particular attention should be given to the education of Mohammedans. A community which is low down in the scale of education must receive special consideration. Another point is that, for a certain number of years the Mohammedans who are educated should be given preference over the Hindus until a good proportion of the Mohammedans is educated. Government is for the benefit of the public, so far as cultivators are concerned, being Mohammedans in an overwhelming proportion, in the department which deals directly with the cultivators, a special consideration should be shown to the employment of Mohammedans in that particular department. The witness then added that only the help of the Government is not sufficient for a community like Mohammedans of Kashmir, who are so low down in the scale of education, and who are so much taken up with religion, there should be freedom of religion both in discussion and in writing (تحریر و تقریر). Those who are educated among the Muslims, should be permitted both by word and writing to give proper instruction to the ignorant brethren. No obstacle should be placed in the way of such instruction. The law is there and if it is abused, proceedings should be taken.

Q. Now I put it to you knowing that the question will not be considered offensive or personal in any way. Suppose that in the garb of religion, instruction and discussion of seditious matter is introduced, will Mohammedans permit such a man to be dealt with according to law?

A. I am sure that this may be done without outraging sentiments of Mohammedans but efficient Police who can take down verbatim

reports and understand the meaning of discussion, should be employed. It should not be left to Police officers to misunderstand and misinterpret the discussions. Certainly it is my opinion that, if in the garb of religious discussion seditious sentiments are expressed, the man doing so should be punished.

Q. There is another department which you mentioned the other day, I mean the Forest Department. You have made no statement about that?

A. I am not one of the leaders of the Mohammedans. There are certain leaders who have studied the question and will be better able to place before the Commission the opinion of the Mohammedans. There are some leaders who have been elected by the community and others who have not been elected by the community but have acquired knowledge in the matter.

Q. Can you mention names of them?

A. There is one man Rahim Dar of village Nasnoor, Kulgam, in the Shupian Circle. He is a *Safaid Posh*. Others are:—Khawaja Saad-ud-Din Shawl Mr. Ghulam Mohammed Ashai, Mr. Abdulla M. Sc., Mr. Mohammed Sidiq, Municipal Commissioner, and Master Ghulam Rasool.

NOTE.—The Secretary should write letters to the above gentlemen requesting them that the Committee would be obliged if they sent in a written statement expressing their views as to what the desires and opinion of the Muslim public are.

The witness added that there are three men from Jammu:—

1. Munshi Yaqoob Ali, 2. Munshi Gouhar Rahman and 3. Abas Khan.

NOTE.—All the above three gentlemen will be found care of Mr. Mohammed Abdulla, and may be requested to appear before the Commission with written statements regarding the views of Muslims of the Jammu and Kashmir State.

The witness further put in a book (دیر جدید) [Exhibit No. 22 (A)] containing his ideas as regards the improvement of the condition of the Mohammedans. He says that he had submitted it to His Highness the Maharaja Bahadur.

(Sd.) MOHAMMED ABDULLA,

Vakil.

Certified that the above statement was read over to the witness and was admitted correct by him.

(Sd.) RAM NATH SHARMA,

Secretary Enquiry Commission.

11th August 1931.

WITNESS No. 15.

Munshi Asad Ullah, Advocate High Court, on S. A.

This is my written statement (Ex. 23).

Q. You are an Advocate of the High Court?

A. Yes.

Q. Do you remember the day 29th Har 1988 (13th July)?

A. Yes.

Q. When did you leave home that day to come to Court?

A. At 10 a. m. At about 2-30 p. m. I received information in Court that there had been some *Hamla* at the Jail. I consulted Pandit Chandra Joo, Advocate High Court, because I was nervous. He desired that I should accompany him to his house but I thought I had better go to mine.

Q. What were you nervous about?

A. I knew that wrong ideas had been given to some Mohammedans about my being opposed to them. Previously some Mohammedans made an attack on my character at Hazratbal. That was what I remembered. I was in the company of the Governor. There were three other Mohammedans with me. Certain Mohammedans said to the Governor "These four are traitors. We shall speak to you only after they are removed".

I proceeded in a tonga towards my house. Near Mr. Hadow's house one Moti Ram a client of mine met me and said "Loot has been made. You had better not go that way". I came back to Kani Kadal and remained at the house of a friend of mine Kh. Mama Malik.

Q. What did you understand by your client saying that loot had taken place?

A. I did not understand that my house was looted. Simply on hearing about loot I turned back.

I remained at my friend's house till 6-30 p. m. From there I went home in a boat. I noticed that the glasses of my office room were broken by stones and my family was not in the house. My servants were inside and had closed the door of my office room from within. I noticed that the door of my house facing the public road had been broken with stones. I enquired about my family and learnt that they had gone to a neighbour of mine. At night I had no meal and next morning I heard that Abdul Wahid had been shot dead. I sent for a hired motor driven by a Sikh. I went away to Gupkar in that car. I had my family driven to Gupkar on the motor. I returned home after four or five days.

Q. Was your house looted?

A. No.

Q. Who do you think attacked your house, Hindus or Mohammedans?

A. I learnt on enquiry that certain Mohammedans had thrown stones at my house. These men have personal enmity with me.

Q. Is it through personal enmity that you are suspected by Mohammedans or is there any other reason for which Mohammedans suspect you of being anti-Mohammedan?

A. Formerly it was the rule, whenever there was a difference between Hindus and Mohammedans, for the Governor to collect certain Pandits and certain Mohammedans to discuss the matter. According to that arrangement on 27th Jeth 1988 certain Mohammedans were called and I was among them. I used to be called previously also, on similar occasions. Khan Sahib Haji Ghulam Mustafa Mirza was also present. Also Kh. Mohidin Qaus, Kh. Said-ud-Din Shawl, Maulvi Ahmad Ullah Waiz Hamdani, Mir Maqbul Shah Jagirdar, Mufti Sharif-ud-Din, Kh. Abdul Rahim Bande Mutwali Hazratbal, Kh. Ghulam Mohidin Gangu. Maulvi Abdulla, Vakil, was also called.

Maulvi Ahmad Ullah, Waiz Hamdani, asked the Governor whether permission had been taken for the meeting which was held the day before. The Governor replied in the negative. I then gave the advice that when permission was not taken, two or three men should be prosecuted and the matter would calm down. When I went home I found that the Mohammedans had been informed that I, Khan Sahib Haji Ghulam Mustafa Mirza and Mufti Sharif-ud-Din had committed a breach of trust, had been traitors, had sold the community and had murdered the community. On this account my enemies who were previously enemies spread this rumour and my friends also left me. After this the Governor called us four to Hazratbal with other Mohammedan leaders. There happened what I have already narrated that certain Mohammedans asked the Governor to remove us four traitors before any conversation may be held. The men who accused us are some of the Mirzai party and some against whom I had conducted cases. This was the reason why I suspected that attack would be made on me.

Q. Up to now were you considered one of the leaders of the Mohammedans?

A. I do not understand about a leader, but in Kashmir both Hindus and Mohammedans trusted me up to that time.

Q. His Highness the Maharaja Bahadur has commanded that we should give our opinion on the causes of the communal rising and also give our suggestions as to how the communal relations are to be restored. I would request your opinion thereon?

A. I shall give an answer to the first portion of the question first. There are two objects which must be aimed at for future amity. First there should be a Board of elderly Mohammedans and elderly Hindus and also of newly educated Mohammedans and young Hindus. This Board should be held responsible for the amity of the two communities. It is essential that freedom should be given to the newly educated Mohammedans to lay their grievances. Either Maharaja Bahadur should give a hearing or some one responsible should give a hearing on behalf of His Highness the Maharaja Bahadur. Whether any relief is granted or not is a secondary question.

I shall now give my opinion as to why this communal disturbance arose. I have no knowledge of the detailed causes of this uprising. What I heard is that the complaint is stronger, the newly educated Mohammedans believe that what they have to say is not listened to and that they have not a proper share in the appointments in this State

Q. What is your personal opinion in the matter as to appointments of Mohammedans?

A. In my opinion, formerly there was great difficulty in the employment of Mohammedans, recently the difficulty is partly reduced, but not so much as would be desired, even where employments are granted to the Mohammedans, those employments are of low position and small salaries.

In my opinion the Kashmiri Pandits suffer from the same difficulty but not with as much difficulty as the Mohammedans.

Q. Then which is the community which prospers?

A. It would be throwing too much responsibility on myself to mention it.

The Chairman remarked that so far as his short experience went he was surrounded either by Mohammedans or by Pandits.

The witness expressed his opinion that things were possibly different in the Judicial Department.

(Sd.) ASSADULLA,

Advocate High Court.

Certified that the above statement was read over to the witness and was admitted correct by him.

(Sd.) RAM NATH SHARMA,

11th August 1931.

Secretary Enquiry Commission.

WITNESS No. 16.

Pandit Maheshar Nath, Inspector of Police, Srinagar.

This is my written statement (Ex. 24).

Q. Why did you go to the Jail?

A. I went to the Jail as a witness in the case of Abdul Qadeer. I was not on duty there. My examination-in-chief had already been recorded in the Court here. I was recalled for cross-examination after the framing of the charge.

Q. What was the condition of the crowd while the trial was being held in the Court?

A. During the trial the Court-room used to be filled with people. A large majority of the crowd consisted of the Mohammedans. There could not have been less than 200 or 300 people in the room. So far as I could make out the Mohammedans inside the room were in an excited temper. I cannot tell how many men stood in the compound but many did in the passage. The Mohammedans used to collect and raise cries of 'Abdul Qadeer Zinda Bad', 'Islam Zinda Bad', when Abdul Qadeer used to be brought to the Court and taken back. First he was kept in the Judicial lock-up at Kothibagh. Subsequently he was taken to the Jail. 13th July was fixed for the first hearing at the Jail.

Q. Was there any hearing on that day?

A. No. There was no hearing by reason of this riot.

Q. When did you reach the Jail?

A. I reached the Jail at about 11-30 or 11-45 a. m. At that time only the Jail guard was present, no extra Police had arrived there. About 1 p. m. the extra Police arrived. The Sessions Judge arrived at about 12-15 or 12-30 p. m. till then also the extra Police had not arrived. The crowd entered the compound with the Sessions Judge. Until the Sessions Judge arrived the crowd remained at some distance away from the Jail Police Lines. His arrival was the signal for their collecting together and entering into the enclosure. So far as I can make out a thousand or fifteen hundred men must have entered the enclosure in the rush. A portion of the crowd came as far as the iron gate. The crowd shook the iron gate and kept shouting open the gate, let us enter, we desire to enter and raised similar cries. The gate was an iron gate and could not be forced open. A bolt however became loose. I cannot remember now where the Sessions Judge was at this time, whether in the

civil ward or in the upper room. My attention was taken up in pacifying the crowd so I did not notice him.

Q. Did you see the attack on the iron gate with your own eyes?

A. Yes.

I know Kashmiri language. I am Kashmiri myself. I addressed the crowd. I knew some of the men and asked them what they wanted but they were greatly excited and did not listen and kept on saying that great tyranny was being exercised, and innocent man was being tried and kept on uttering similar cries.

Q. What did you think was the intention of the crowd?

A. In my opinion they wanted to show what power they had in the multitude and to impress on the authorities that their actions could not be controlled.

I and three other Police officers, who happened to be Mohammedans, Abdul Karim and Abdul Rahim, Inspectors and Sub-Inspector of Maharajganj Sef Din persuaded the crowd in groups to leave the place explaining to them that their conduct was not lawful. Mr. Mohammed Abdulla Pleader also at our request addressed the crowd and a large portion of the crowd went out. About 150 or 160 men remained inside the compound. In the meantime in answer to telephonic summons a lorry full of extra Police arrived. About 11 of these men were armed with rifles and about 9 or 14 were armed with clubs. At this juncture the Superintendent of Police also arrived. He went inside and sent telephonic messages. Most of the men remaining inside were also turned out of the wooden gate. The Governor, the D. I. G., the A. D. M. and the A. S. P. arrived at this time.

Q. Do you remember how the firing started?

A. Yes. The D. I. G. then proclaimed to the crowd to be an unlawful assembly and warned them that firing will start.

Q. Do you remember the arrest of certain men of the crowd prior to the firing?

A. Yes.

Q. What was it?

A. I was called to the room upstairs where the officers were all collected. The Governor asked me whether I could identify the men who had made an assault on the iron gate. I told him that I could identify and also the Sub-Inspector of Maharajganj Sef Din who was with me and other Police officers. The Governor ordered that those men out of the mob who had previously attacked the iron gate should be arrested. I and several other officers went out. The D. I. G. accompanied us. I did not see any Magistrate accompanying us. We arrested some men out of the men collected on the road outside the wooden gate.

Q. Did you arrest any one in particular?

A. No.

Q. Were the arrests made promiscuously or whether particularly some of those men were arrested who had assaulted the iron gate previously?

A. No. Specifically those men out of the mob who had previously entered the compound and attacked the iron gate had been arrested. Of course those who could be caught hold of were arrested others ran away.

The firing started on the order of the Governor which the D. I. G. conveyed to the Sub-Inspector in charge of the firing line. I was at the time outside the iron gate and within the compound.

Q. Did you yourself fire at any one?

A. No.

Q. What was the reason for the firing? What was sought to be prevented by the firing?

A. The mob was even at that time in an excited state, slogans were being shouted, the telephone lines were fiercely shaken, it was feared that line will be cut off as it was subsequently cut off, stones were thrown by the mob on the constables and some constables were also wounded.

Q. Did the stone throwing begin after the arrests were made?

A. Yes.

On the western side of the enclosure there was a cry that there was a fire. The general opinion, therefore, at the time was that the mob would attack the Jail and the Policemen and the Jail officials cannot overpower them. To prevent such a contingency happening firing was ordered.

Q. What was your real idea of the situation at the time?

A. I really believed at the time that if there were no firing the mob would overpower the Police and attack and wreck the Jail. There were 40 or 45 men of extra Police out of whom only 20 or 22 were armed.

Q. What in your opinion was the extent of the crowd at the time of the firing?

A. Five or six thousand people.

Q. I now want to ask you about the detail of the firing. How was the firing done?

A. It was a controlled volley firing that is the firing was made on each order. The rifles were not repeaters. Every time they had to be reloaded after firing each round.

Q. How long did the firing continue?

A. The firing did not last for more than five or six minutes.

Q. Did you hear the Governor order firing?

A. I did not hear the Governor order firing every time.

I was standing on the right side of the firing line under the trees. The persons who were fired at were outside the wooden gate at the time. Even during the firing stones were thrown at us for some time.

Q. Was there any firing after the crowd started to bolt.

A. There was some crowd on the left of the gate that is on the other side where the Jail Police Line is. After the crowd in the front went away that crowd took its place and came to the front. There was no pursuit of the crowd. The firing line was broken but the firing men never went beyond the wooden gate.

Q. How far would a buckshot carry?

A. About fifty yards to wound. Beyond that very slight injury would be caused.

Q. Did you notice any of the crowd falling down when hit?

A. No, I did not notice any. The enclosure wall along the wooden gate is so high that the man on the other side could not be seen even from a distance. The range was only through the wooden gate because men could not be shot over the wall.

Q. When did you leave the Jail?

A. I left the Jail with the D. S. P. in the District Magistrate's car.

Q. Before you left did you hear that Maharajganj had been looted?

A. No.

Q. When did you hear of this loot?

A. At Amira Kadal near the shop of Mohammed Ishaq.

Q. Did you go to Maharajganj that day?

A. Yes. I reached there some time after 5 p. m. and before 6 p. m.

Q. Were you ever an investigating officer?

A. Yes.

Q. You will then be able to describe what you saw?

A. I am first describing the situation near the Post Office. The place where the Post Office is is known as Bad Shah. I saw that shops to the east of the Post Office were looted. The Almirahs in the shops were broken just in a way one would break open such a wooden article in a hurry and in a rush. Papers half burnt lay below shops. They were *Bahi Khata* pages. Tea, *Haldi* and other grocery articles were fallen on the road as if it had been brought out of bags which may be carried. In the shop of one Doctor Deva Koul the bottles had been broken and contents streaming on the ground. Those who were looted were crying and shouting. Those persons were Hindus. Some of them had injuries on their persons.

Q. From your experience could you say whether loot had actually taken place or whether an appearance of loot had been made out by the Hindus?

A. On the basis of my experience I could say from a view of the situation that loot had actually taken place.

Q. Did you see Mr. Wakefield or the Nawab Sahib at Maharajganj when you went there?

A. No, I believe they visited the place before I went there.

Q. Were you present at any other place of looting or shooting?

A. No.

Q. What part did you take in the investigation?

A. For the first two days there was considerable unrest and the duty of investigation could not be done. The investigation was started soon after that and I received complaints from Maharajganj people and from others also. I made my head-quarters at Maharajganj Chowk (square) and received complaints there and got first information reports recorded at the Maharajganj Police Station. On the first day 29th Har (13th July) the Sub-Inspector Maharajganj searched two or three houses. Some stolen property was recovered. On the 30th Har also (14th July) Sub-Inspector Abdul Aziz and a Head-constable invested with powers of investigation made certain searches. As to 31st I do not exactly remem-

ber. On and after 1st of Sawan searches were not made for some days. The A. S. P. Pandit Sudarshan Koul, I heard from two of the investigating Sub-Inspectors, had given oral instructions to the Sub-Inspectors that searches may be stayed for some time. It was understood that Pandit Sudarshan Koul had received orders from higher quarters. So far as I can recollect searches started again from the 9th or 10th of Sawan.

Q. Who were the Sub-Inspectors whom the A. S. P. gave these instructions?

A. Kh. Saif Din and Sh. Abdul Aziz.

Q. Is Rainawari in your charge?

A. Yes.

Q. Did you hear of any firing by the Police near Kathi Darwaza on 29th Har?

A. Yes. I cannot say whether it was on the 29th or 30th.

Q. Did you send any official report about this matter (firing at Kathi Darwaza) to the higher authorities?

A. No.

Q. Were any Police officials injured at the Jail before the firing was ordered?

A. Yes.

Q. How many officials were wounded?

A. About 15 or 20 persons out of which 2 or 3 received serious injuries.

Q. Was a Lathi charge made by the Police before the firing was ordered?

A. Yes.

Q. How many times was the Lathi charge made?

A. Only once.

Q. Could you describe how the *kunda* of the iron gate of the Jail was broken? Were not stones or any hammers used at the gate?

A. *Kunda* was broken merely by shaking given to it by the people and no stones or hammers were used.

Q. Is Vicharnag in your jurisdiction?

A. Yes.

Q. When did you learn of the loot in Vicharnag?

A. Late in the night of 29th Har.

Q. Did you go yourself to Vicharnag?

A. No. I was required in connection with some other work.

(Sd.) MAHESHWAR NATH,
Inspector of Police Srinagar.

Certified that the above statement was read over to the witness and was admitted correct by him.

(Sd.) RAM NATH SHARMA,
Secretary Enquiry Commission.

19th August 1931.

WITNESS No. 17.

Abdul Karim, Inspector C. I. D., on S. A.

This is my written statement (Ex. 25).

I am Inspector, Criminal Investigation Department.

Q. How did you go to the Jail that day ?

A. My house is about 500 paces from the Jail. When I came out of my house to go to the Police office at about 12-30 p. m. on 13th July I heard noise and also cries of Allah-O-Akbar coming from the direction of the Jail. So instead of going to the office I went to the Jail.

Q. Why was your attention attracted to the Jail ? Did you know of the trial that day in the Jail ?

A. No, I did not know of the trial. Simply on hearing the noise I went there.

I did not see any attack on the iron door. The crowd was standing four or five paces from the iron gate.

Q. What did you understand to be their intention ?

A. They seemed to desire that they should be permitted to go and see Abdul Qadeer who was said to be locked up inside the Jail.

Q. Were you informed about any attack made on the iron gate ?

A. I did not hear of the attack on the iron gate and the shaking of that gate before D. M. arrived. It was when the Jailor described this incident to the D. M. that I learnt of it. I arrived at the spot after the Sessions Judge arrived. The men who had collected inside the compound had gone out before the D. M. arrived.

Q. What did the District Magistrate particularly desire you to do ?

A. I was directed by the D. M. to arrest the particular persons who had entered the compound and attacked the iron gate.

Q. You had not seen the attack on the iron gate, how could you arrest such men ?

A. For this reason I told the D. M. that I could not identify the men who had attacked the iron gate.

Q. Did you tell the D. M. that you had seen no attack on the gate?

A. I had no opportunity to say so. He insisted on my going out and catching these men.

Q. You have stated in your written statement that the Governor was angry. What was he angry about?

A. Possibly he misunderstood me and thought that I was refusing to go out and arrest for some reason other than not my having witnessed the assault on the iron gate.

Q. When you reached the Jail, was the Sessions Judge in the civil ward or upstairs ?

A. He was in the civil ward.

Q. Did you at the time you went to the Jail or subsequently notice any mark of injury or violence on the iron gate ?

A. No.

Q. Who was made over to you after arrest ?

A. A Police constable caught one man and made him over to me. He was a Kashmiri Mohammedan. I did not know him before.

Q. Why was he arrested ?

A. I do not know. The constable who arrested him handed him over to me. So far as I remember he belonged to the Jail guard. I can discover the name and inform the Commission because I can identify him.

(NOTE.—The witness is directed to send the name to the Secretary).

Q. When you had not seen the attack whom would you have arrested ?

A. I went out merely to help the Police. I went out merely to obey the order of the Governor. So far as I remember 4 or 5 men were arrested in that fashion. I took the one man who was handed over to me into the Jail.

As we went forward the crowd dispersed and receded.

Q. Did you catch the men when they receded ?

A. The constable said this was one of the men, the constable caught him and made the man over to me. I said tell me if you can recognize the other.

Q. Did any one declare the crowd to be unlawful assembly previous to the time of firing ?

A. I did not hear.

Q. Where were you before the firing was opened ?

A. I was in the compound. I was behind a godown in the compound. I looked from behind so as to save myself from the stones which were being thrown by the crowd. The D. I. G. was standing 10 or 12 paces from me. There was a great noise ; possibly I might have been able to hear if he had called out loudly.

Q. Did you hear the Governor order the firing ?

A. No.

When I saw fire on the Jail Police Line there was a cloth burning on the *chhapper* of the Line.

Q. Did you hear of the *kunda* of the iron gate being broken on the 13th July ?

A. No.

Q. Did you see any Lathi charge being made by the Police before the firing was opened ?

A. I saw no Lathi charge being made by the Police.

Q. Were you in the compound before the firing was opened ?

A. Yes.

Q. When the Governor ordered you to go out and arrest persons who had made an attack on the Jail, did you tell him specifically that you had absolutely seen no attack made on the Jail ?

A. No. He gave me no opportunity to tell him.

Q. Where did you go when you left the Jail ?

A. From the Jail I went to my house.

Q. Passed on subsequently I enquired of a passerby as to what the condition of the city was ?

A. I was informed that Maharajganj had been looted.

Q. Do you know Kashmiri language ?

A. I can understand Kashmiri language though I belong to Lahore as I have been residing here since long. I was not present at any other firing or riot.

Q. Have you made reports in pursuance of your duty as C. I. D. Inspector ?

A. Yes.

(Sd.) ABDUL KARIM,

Inspector Police, C. I. D.

Certified that the above statement was read over to the witness and was admitted correct by him.

(Sd.) RAM NATH SHARMA,

27th August 1931. *Secretary Enquiry Commission.*

WITNESS No. 18.

Shaikh Habib Ullah, Sub-Inspector C. I. D., on S. A.

5th August 1931.

This is my written statement (Ex. 27).

Q. Did you go to the Jail on duty or simply accidentally ?

A. I am a C. I. D. Sub-Inspector and thought it my duty to go to the Jail when I heard about the trial of Abdul Qadeer in the Jail. Large crowds had collected during the trial of Abdul Qadeer in Court so I felt that large crowds will collect at Jail also. This is why I thought it my duty to go there.

Q. Where did you see the crowd when you arrived ?

A. I saw the crowd inside the Jail compound. The number seemed to me to be seven to eight hundreds. I did not see them attacking the iron gate. They were merely standing near the gate. They were 3 or 4 yards away from the gate.

They shouted that they wished to see Abdul Qadeer whom they called their brother. I also felt that they wanted to see Abdul Qadeer. Some people also said that they wished to be present at the hearing.

Q. Did any one tell the crowd that Abdul Qadeer was in Jail and the proceedings would not be public so they could neither see the prisoner nor attend the proceedings ?

A. So far as I know no one explained this to the crowd.

Q. Where were you when the Governor arrived ?

A. I was near the wooden gate.

When the Governor called me I went in. There was no story told in my presence of the attack on the gate. The Governor told me to identify and arrest the people in the crowd. What the Governor meant was that I should recognize the people who entered the compound and arrest them. I submitted to the Governor that I could not identify the men who had entered. He got angry at this submission. He told me on this submission that he would get me dismissed. Mr. Thappa, S. P., thereupon said, let us go and see. I went along with the other Police officers to help them though I knew that I could not identify any of the men who had entered the compound. So far as I can recollect the Police officers caught hold of whichever men they could catch.

Q. Was their any identification of men when the arrests were made ?

A. No.

Q. Did you arrest any man and did you bring any one inside the Jail ?

A. I did not catch any one. I escorted to the Jail gate men who had been arrested.

As the Police arrived the crowd dispersed and went in different directions. Only 4 or 5 men could be caught hold of at that time.

The mob started throwing stones after we had arrested these four or five men.

I did not hear the Governor giving order to fire.

When the firing started I was in the garden. I went only as far as the wooden gate and not as far as the iron gate. From there I again turned back and went into the grove and firing was started when I was in the grove.

I went alone into the grove the second time after escorting the arrested prisoners as far as the wooden gate. I was in the grove all the time the firing continued. I had to take shelter. I took shelter in the Police Lines, which are alongside the garden and on the other side of the road leading to the Jail Police Shed.

Q. Where did you see the burning cloth on the roof ?

A. There were two constables also with me in the Police Shed, possibly they also had run in there to escape from the fire. When I came out I saw the burning cloth on the roof of the Police Lines of the Jail.

Q. Were you present on any other occasion of riot or shooting ?

A. No.

Q. What is your charge ?

A. I am in charge of a section in the city. I make reports of occurrences within my circle.

Q. When you arrived at the Jail did you see any marks of violence or injury to the iron gate ?

A. No.

Q. Did you see any *kunda* of the iron gate stated to have been broken as a result of the attack on the gate ?

A. No. I did not see any broken *kunda* nor heard anything about it on the 13th of July.

(Sd.) HABIB ULLAH,

7th August 1931. *Sub-Inspector Police C. I. D.*

Certified that the above statement was read over to the witness and was admitted correct by him.

(Sd.) RAM NATH SHARMA,

7th August 1931. *Secretary Enquiry Commission.*

WITNESS No. 19.

Thakur Sham Singh, Sub-Inspector Police, on S. A.

I produce a rifle which was used and also a cartridge. The rifle has a single barrel which has to be loaded everytime. There were 22 men including the Head-constables armed with rifles. Each man carried 20 cartridges. There were 22 men firing and 180 cartridges were used.

Q. Was Sh. Abdul Majid, Superintendent Fire Brigade, in your lorry when you went to the Jail or on return?

A. No.

Q. Have you got back all the cartridges that were issued?

A. No. So far no cartridges have been received because some of the men who went to the Central Jail were subsequently deputed to different places in the Muffasils. I reached the Jail at 1-20 or 1-25 p. m. We arrived immediately after the Governor.

(Sd.) SHAM SINGH,

Sub-Inspector Police.

Certified that the above statement was read over to the witness and was admitted correct by him.

(Sd.) RAM NATH SHARMA,

6th August 1931. *Secretary Enquiry Commission.*

WITNESS 20.

Sh. Ghulam Mohammad, B. A., LL. B., on S. A.

6th August 1931.

This is my written statement (Ex. 29).

Q. Why are you not a practitioner yet?

A. I have made an application to the High Court. I have not received a reply yet.

Q. Why were you watching the proceedings ?

A. I was advised by my friends to watch proceedings of cases and thus familiarize msyelf with the procedure of the Courts.

Q. Have you ever watched proceedings in other Courts also?

A. I have. (When the Chairman observed that he does not remember the face of the witness the witness replied : I attended the subordinate Courts and not the High Court).

Q. When did you reach the Jail ?

A. I reached the Jail at about noon. Maulvi Mohammed Abdullah and Lala Nanak Chand went along with me.

Q. Did you find out why the crowd entered the compound as you said that 2 or 3 hundred of them entered with the car of the Sessions Judge ?

A. They came in to hear the judgment in the case.

Q. What was the time when you went out to pacify the crowd as you say that it was time for *Namaz* (prayers) ?

A. The time was about 2 p. m.

Q. Had the Governor arrived by then ?

A. No.

Q. Do you know D. I. G. who is a Mohammedan gentleman ?

A. Yes, I know him by sight.

Q. Did you hear or see this Mohammedan D. I. G. calling out to the crowd that the crowd was an unlawful assembly and must disperse ?

A. No.

Q. Did you hear any other officer making this declaration ?

A. No.

Q. Were you looking outside the window during these 2 or 4 minutes which you said in your written statement elapsed between the arrest of some of Mohammedans who were brought in and the firing which you heard?

A. No.

Q. I gather that the proceedings in the case had not started?

A. No. They had not started.

Q. I put to you as a human being, I should during those five minutes have stood at the window when there was trouble outside and the proceedings had not commenced?

A. I was waiting for the prisoner because the prisoner was about to be brought upstairs.

Q. How did you know that the prisoner Abdul Qadeer was being brought up?

A. The Sessions Judge told the Darogha (Jailor) to bring up the accused and that is why I expected the accused.

Q. What was the firing like? Was it a continuous firing or it stopped after each fire?

A. When I heard people shouting "fire, start firing, start firing" I went up from my seat to the window. I saw the Policemen firing. They were firing continuously. I noticed only continuous firing by the Police. I did not notice them taking out the spent cartridge and putting in a live one.

Q. Where was the crowd when the fire was opened?

A. The crowd was in the garden.

Q. You just now stated that the crowd was dispersing. At exactly what time did you see the crowd dispersing after the firing started?

A. I saw the people running away as soon as the firing started, when I went to the window.

Q. According to your description taking an ordinary common sense view, in what portion of the body of the Mohammedans would you expect the bullets to lodge? I suggest that the bullets in such a case would be found in the back.

A. The whole crowd had dispersed from the grove. Only a few remained therein. I saw all the men behind the garden wall. There was only a stray man or two on the road near the wooden gate.

Q. I put it to you that according to your description nobody was hurt by the firing as there was no one even on the road between the Jail enclosure and the grove?

A. I do not accept that. The wooden gate of the Jail compound was wide open and so was the gate of the grove opposite and that is how people could be hit through the two gates.

(NOTE.—The witness was requested to point out where the gate of the grove is and he pointed to a spot exactly opposite the wooden gate of the Jail where is the figure 300 put in by the mapist).

Q. How long did the firing lost?

A. Some 10 or 12 minutes. It was continuous during these 10 or 12 minutes.

Q. How many men were firing?

A. 10 or 15.

Q Did you see any body falling down?

A. No.

Q. According to the description you have given of the events killing you may take it from me was down right murder. Man to man I ask you whether at the time it did not strike you that the action was inhuman?

A. My peace of mind was disturbed at the time so I did not think any thing in particular about the matter at that time.

Q. When you came out of the Jail did you see only fire at the Jail Police Shed?

A. No. I saw men of the fire brigade on the roof. I did not notice any fire.

Q. When did you leave the Jail?

A. I left it at 3-45 p. m.

Q. Did you hear of any occurrences in the city before you left the Jail compound ?

A. No.

Q. Did you see any attack being made on the iron gate of the Jail by the crowd ?

A. No.

Q. Where you were at the time when the District Magistrate arrived at the Jail ?

A. I was at that time in the garden advising people to disperse.

Q. Did you hear of any attack being made by the mob on the iron gate of the Jail ?

A. No.

Q. Did you hear that a *kunda* of the iron gate of the Jail had been broken by the crowd ?

A. No.

Q. Did you see any Lathi charge being made by the Police before the firing ?

A. No, I did not see any Lathi charge being made.

General Questions.

Q. Where are you resident of ?

A. Of Kashmir.

Q. Were you educated in Kashmir or outside ?

A. I passed my B. A. Examination from the Srinagar College. After that I went to Lahore for the LL. B. Examination.

Q. Did you get any scholarship to go up for the LL. B. ?

A. No.

Q. Was your father of sufficient substance to send you to Lahore ?

A. No, I received some help from the Kashmir Conference.

Q. What is the Kashmir Conference ?

A. It is an All India Kashmir Conference which helps Kashmir students to prosecute higher studies.

(NOTE.—The witness was assured that the Chairman is not putting any personal questions but as an object in discovering whether intelligent Mohammedan youths can prosecute their studies easily and the witness stated that he had no objection to answer question).

Q. How long did you study in Lahore ?

A. Three years.

Q. If you had not been able to secure this help of the Conference I take it that you would not have been able to go up for the Law Examination.

A. No.

Q. Did you apply for scholarship ?

A. I had applied for a scholarship in 1929. I passed the B. A. Examination in 1928, and joined the Law College in September 1928.

I was told that there was no scholarship available for me. I learnt that three scholarships were available to Mohammedans for that year and all had already been given.

Q. Is there any Law class here or in Jammu by attending which a student can obtain a Law Degree of Lahore?

A. No.

Q. Where did you receive your school education?

A. In the Sri Pratap High School, Srinagar.

Q. In your opinion is there any difficulty in front of intelligent Mohammedan youths in obtaining school education? (The Chairman suggested the witness, being a young man of education, must have devoted some thought to the Mohammedan situation of the State).

A. The principal difficulty is pecuniary difficulty.

Q. What is your father?

A. He is an official of the State drawing salary of Rs. 75.

Q. I put it to you that many of the local Mohammedans are petty merchants and dealers in Kashmir wares. Do you not think that they have sufficient monitary capacity to educate their children?

A. So far as I know I do not think that the opinion of the Chairman is correct that these petty shopkeepers and merchants have sufficient income to educate their children properly.

Q. May I suggest to you that the State may start a fund to educate a certain number of Mohammedans and those youths on starting to earn money may refund the money with or without interest for the education of other boys. I tell you in a small way there is in Bombay for the education of Parsi youths a scholarship called the Tata scholarship. Out of the fund youths are educated and those who receive education consider the money a debt of honour and refund it.

A. Some such scheme would be a fessible one, I do not believe that Mohammedans educated thereunder would demur at having to refund the money spent on their education provided the refund is to be made in easy instalments.

Q. Whose sons have you in your mind for education? Do you include sons of cultivators also?

A. In my opinion sons of cultivators also are entitled to receive higher education if they are capable of receiving it.

Q. What is your opinion about the education of children? Should there be sectional schools or joint schools as at present?

A. I am not in favour of separate schools for separate communities.

Q. Is there any religious difficulty in joint education of both communities in schools?

A. So far as my private opinion goes there is no such difficulty. There was a period for prayers in College and prayers were said, to which no objection can be taken.

Q. You belong to any association of Mohammedans?

A. No.

Q. Can you suggest the name of any young man who may have considered the general situation in Mohammedans of the State and may have formed certain opinion?

A. I would suggest the name of Mr. Shawl (the name of that gentleman is already noted) and Mr. Shahab-ud-Din whose shop is in front of Kashmir General Agency.

The witness said that he will be able to suggest names subsequently. The Chairman explained to him that he does not want the names of elderly leaders but of really youngmen of the age of the witness about 23 to 24, who had really felt the difficulties and whom the shoe has pinched. The witness promised to put in a list of the names of such youngmen.

(Sd.) GHULAM MOHAMMAD,

B. A., LL. B.

Certified that the above statement was read over to the witness and was admitted correct by him.

(Sd.) RAM NATH SHARMA,

8th August 1931. *Secretary Enquiry Commission.*

WITNESS No. 21.

Brigadier Onkar Singh, on S. A.

This is a correct copy of my diary from the 13th of July to the 19th of July (Ex. 30).

Q. Were you in charge of the Military posted in the city after the commencement of the riot?

A. Yes.

I made over charge of my duties over the Military stations in the city to Colonel Rahmat Ullah Khan at 9 a. m. on the 22nd of July. I know that there is some Military force still kept in the city.

NOTE.—The witness in his statement has mentioned cases of shooting on the 15th July at Nawa Bazar as well as on the 14th July. There were Rattan Singh's party and other men there. The evidence will be taken of Rattan Singh and Fakiru Naik.

Q. Where did the party of Sham Singh fire?

A. At Nawa Kadal. Captain Gouri Dutt was the Commander and Lance Naik Sham Singh was also present there.

NOTE.—The witness is requested to send to the Court, Lance Naik Sham Singh and one of the Patrol.

Q. You are an experienced officer. Can you give indications for your opinion which you have expressed in the report that Maharajganj had been looted. How did you know that a semblance of loot was not got up by the Hindus?

A. I think that I reached Maharajganj by 2-30 p. m. But now I think I must have reached that place at 3 p. m. It must have at any rate been before 4 p. m. I saw the Military Minister Mr. Wakefield half an hour or 45 minutes after I arrived at the spot. I saw many shops of which the goods were spread out. Materials like *Haldi*, *Sindoor*, tea, etc., were lying on the road outside the shops. I saw the looted shops outside the square of Maharajganj, about 20 or 30 shops which had an

appearance of being looted. Mostly they were Hindu shops and the Hindu shop-keepers were shouting that they had been looted.

Q. Did you personally see any other place of shooting or riot?

A. No.

Q. Did some open shops appear to be looted and others broken into?

A. A few of the open shops appeared to have been looted while others had been broken into.

Q. I want to ask you certain questions about the last incident described by you in the diary of the 19th July. How did you know that the boy was injured at the pit where detonators had been thrown?

A. I went to the Hospital and told the boy to show the spot to me. His father accompanied him. He took me to the pit. There I noticed the marks which had been noted by me in the diary. From the marks present there, I am of opinion, that an old detonator exploded and injured the boy. There were broken pieces of string there. A stone lying at the place was charred by gun powder and there were also marks of blood that must have fallen from the fingers of the boy. At first the boy said at the Hospital that some soldier fired at him and he raised his hands of which the fingers were shot off. He did not give the name or description of any soldier. At the pit he said that some spirit or devil may have appeared, and that he could not tell from which side he was shot. He said that he only heard the noise and cannot tell from which side the shot came.

He further stated that four or five days previously another Gujar boy while grazing cattle had thrown a stone at the pit and there was a loud noise. 8 or 9 pits remain at the feet of the hill at Badamibagh. There were old detonators. The arsenal expert had come and put a long fuse through the pits and lighted it and the old detonators were destroyed. It appears that some detonators remained live after the explosion.

Q. Were the pits out of bounds before this accident?

A. No. There was no suspicion that any live detonators remained there. So this accident was the first indication we had of the place being dangerous and therefore the place had subsequently been placed under bounds.

Everything in the pits had been exploded but some detonators must have been blown away from the pit and this particular detonator appears to have exploded about five or six paces from one of the pits.

Q. Is the boy still in Hospital?

A. I do not know but he is still alive.

Q. Do you know the name of the boy or his father?

A. The names can be found from the Badamibagh Hospital where the boy was sent for treatment.

(Sd.) ONKAR SINGH,
Brigadier.

Certified that the above statement was read over to the witness and was admitted correct by him.

11th August 1931.

(Sd.) RAM NATH SHARMA,
Secretary Enquiry Commission.

WITNESS No. 22.

Subedar Atar Singh, on S. A.

(The incident of 15th July at Nawa Bazar.)

6th August 1931.

This is my written statement (Ex. 31).

Q. Where was the firing?

A. The patrol had crossed the bridge and gone over to the other side and was returning. It had fired two rounds from the other side of the bridge to frighten the people but the crowd did not disperse then the patrol crossed the bridge and the crowd came from the opposite direction. The rifle of Abhey Singh was caught by some of the crowd on this side of the bridge. Five rounds were subsequently fired.

Q. When did you receive the information?

A. I received the information after about an hour.

Q. Where did you see the stones and brickbats?

A. I noticed stones on this side of the bridge and on the other side also. There were few stones also on the bridge. I noticed that one of the abutments of the bridge had been damaged; possibly bricks were taken out from that place to throw at the patrol. I think that bricks were pulled out of the abutment. I do not know whether the abutment had been repaired or not.

Q. What was your circle of command of the Military on that date?

A. From Nawa Bazar to Tashawan.

Q. Do you know whether out of the wounded any one died?

A. No. The two men were wounded on the legs. Colonel Sutherland made enquiry from Naik Onkar Singh at the time.

Q. Is it a fact that when Colonel Sutherland sent for Naik Onkar Singh and asked him about the firing he had first denied that any firing had been made by his patrol?

A. No. No such thing happened in my presence.

Naik Onkar Singh admitted at once that the patrol had fired.

(Sd.) ATAR SINGH,

Subedar.

Certified that the above statement was read over to the witness and was admitted correct by him.

(Sd.) RAM NATH SHARMA,

10th August 1931. *Secretary Enquiry Commission.*

WITNESS No. 23.

Naik Onkar Singh, on S. A.

This is my written statement (Ex. 32).

My picket that day was at Tashawan Police Station. I was at the time with four Sepoys on patrol duty from Tashawan past Nawa Bazar.

There is a small bridge near where twe roads meet. I was a little distance away from the bridge, about 12 or 15 feet, when I saw a crowd of people collected. I noticed about a hundred men collected. I told them to disperse, open their shops and work there or go home.

Q. Had you any instruction in this matter?

A. Yes, my instruction was that wherever I noticed a crowd of men I should tell them to disperse.

Q. Had you received any order to shoot if the people did not disperse?

A. I received no such order.

One man who was a Mohammedan came forward and said "Who are you. You go away. We shall not disperse". Before I could answer him back we received a shower of stones and brickbats. The crowd which was collected threw these and also men from roofs and houses. They all appeared to me to be Mohammedans. Seeing that there was danger of our being hurt I took the patrol to the bridge which was empty. When I reached the bridge I noticed that 200 or 250 men barred my way on the other side also. They were also Mohammedans. I told the patrol to advance all the same. Two Sepoys had crossed the bridge. I was on the bridge. The people in front also started throwing stones at us. I ordered the Sepoys not to fire but to use the butt end of the rifle. The crowd behind came from behind and we were surrounded. I received hurt from some stones. I received stones on my back. Both Abhey Singh and Glodhu were also injured. Out of the crowd in front three men caught hold of Abhey Singh's rifle. Abhey Singh said that his rifle was caught and he would lose it. I therefore directed two of the Sepoys, who were not surrounded by the crowd, to fire low on the ground. They fired. They each fired one round; that made two rounds. The crowd behind also approached us. After the firing of these two rounds the crowd did not disperse. Then I ordered all the four sepoys to fire one round each and go forward. Abhey Singh fired while his rifle was being caught. We rest of us got free but Glodhu Sepoy remained surrounded. I ordered him to fire one round. Thus seven rounds were fired. After this the crowd dispersed, and we went on.

I made a report to Subedar Atar Singh. He was incharge of the picket. Subedar Atar Singh arrived in a lorry.

I made a statement to Brigadier Sutherland also of the occurrence on the same day who accompanied me and my patrol to the spot and saw the locality.

(Sd.) ONKAR SINGH,

Naik.

Certified that the above statement was read over to the witness and was admitted correct by him.

10th August 1931.

(Sd.) RAM NATH SHARMA,

Secretary Enquiry Commission.

WITNESS No. 24.

Khawaja Nur Shah, Revenue Assistant Srinagar, on S. A. (Ex. 32).

Q. How long have you been in service?

A. For about 25 years.

Q. Where did you meet the Governor?

A. I met the Governor at his house. When I finished my work as Wazir Wazarat, the Tehsildar and two or three others came to me and said that there was a noise outside. I sent my Chaprasi on a bicycle to the office of the Governor. He was not there. I was told by the Chaprasi that the office was also closed and he was unable to give the reasons for it. After this I went to the house of the Governor. The time must have been 4-30 p. m. then. The Tehsildar accompanied me. Pandit Raghunath Mattoo is his name. The Governor told me to go with the Tehsildar to Maharajganj. The Governor said "I have heard that certain crowds have gone to Maharajganj and there is disturbance there". He did not give any details. Some Policeman whom I did not know came to the house of the Governor at this juncture. I and the Tehsildar asked him and he told us that there were some deaths at the Jail. The Tehsildar and I then went to Maharajganj. The time must have been 5 or 5-15 p. m. when we reached Maharajganj. There was great noise there at this juncture. Mr. Wakefield also came there. I noticed 8 or 9 shops emptied of all goods.

Q. Whether Hindu shops or Mohammedan shops?

A. There was no Mohammedan at the time, all the Hindus were complaining. I entered those shops and found no goods inside.

Q. Did you see any goods spread about on the road or outside the shops?

A. No. Then the witness said I saw some *Haldi* etc. lying on the road.

Q. You have stated in your written statement that shutters of the shops were broken?

A. By shutters I mean the boards on which the shopkeeper sit.

Q. You have written shutter-boards which means boards for closing shops. Did you see any such boards broken?

A. No. I did not notice any shutter-boards of shops.

Q. Did you see any Almirah broken inside the shops?

A. Yes, I saw one Almirah broken.

Q. From your experience what do you say whether the Hindus were looted or whether it was made a semblance of that loot?

A. No, Mohammedans were gathered there so I conclude that the Hindus were looted.

Q. I do not understand your statement what you say in your written statement "some of the Pandits complained that their property had been stolen and was in possession of Hanjis who soon it was reported by the non-Muslims that some of the property was discovered in their possession and was handed over to the Police officer"?

A. I did not know whether a particular Pandit was shopkeeper or not. They said that Hanjis were in possession of the stolen property. While I was thinking as to what to do, one Pandit came with the Hanjis saying the property in the Hanji's possession is mine, I made over the property to the Military. The property consisted of a Durree

and some clothes etc. At that time there was no opportunity to enquire, any one, who was caught was made over to the Military. The Police and Military were combined in the duties at the time, so I use the word Police and Military indifferently to indicate the Police or the Military.

The Governor told me to go to Vicharnag. There was very little light at the time. Possibly it was 7-30 or 7-40 p. m. at the time. Vicharnag is two or two and a half miles from Maharajganj. I drove to Vicharnag in my car.

Q. What did you see there?

A. I entered four houses there. One owner of the house said that he suffered a loss of a lac of rupees. There were no doors of the house. He showed me a burnt heap and said that his doors and account-books were burnt together in that fire.

He also showed me a safe lying on the road near this heap which was burning. He said that the contents had been stolen. According to him the persons who looted were not able to break the safe open and had made a whole on one side of it.

Photograph No. 32 was shown to the witness and he was asked whether this is the same he saw. He answered that from the holes in the safe he could say that this was the same. He said it was something like it.

(The witness continued) Some Pandit ladies told me that jewel had been snatched away from their person. One Pandit Sri Kanth met me in Vicharnag. He was a Tehsildar at one time. I asked him how he escaped in all this trouble and he answered that the Mohammedans had saved him. The Pandit ladies also complained that Badsalooki (بدسلوکي) had been done on them (bad-handling and bad treatment).

Q. Were not shops looted?

A. No. I did not see any shops looted. Nobody told me that shops were looted. All that the people wanted was patrolling by the Military and such Military arrangements have already been made. I questioned the house-holder who complained of the loss of one lac of rupees whether he could give the names of the persons who looted him. He first answered in the affirmative and then said that he could not.

Q. Were you able to find out on 13th July the approximate value of the property stated to have been looted in Maharajganj?

A. No. So many exaggerated reports were made that it was impossible to form a correct idea.

Q. Did you see any torn or burnt account-books lying outside the shops at Maharajganj Bazar on 13th July?

A. No.

General Questions.

Q. The Governor said that he consulted you as regards the opinions and sentiments of Mohammedans. We want to ask your opinion on the subject. The witness says "I would rather make my statement in camera".

(Sd.) NUR SHAH,
Tehsildar.

Certified that the above statement was read over to the witness and was admitted correct by him.

(Sd.) RAM NATH SHARMA,
Secretary Enquiry Commission.

4th August 1931.

WITNESS No. 25.

P. Raghunath Raina, Deputy Jailor, on S. A.

This is my written statement (Ex. 34).

Q. You have been specially summoned to state how the *kunda* of the iron gate came off. Did you see the *kunda* coming off?

A. No.

Q. What did the Mohammedans who entered with the Sessions Judge do?

A. The crowd shouted 'Allah-O-Akbar', 'Nahra-i-Taqbir', 'Abdul Qadeer Zinda Bad'. They continued going round the entire enclosure inside the compound. Once the Police pushed the mob out but it came back again. Then the mob attacked the iron gate. About 200 men pushed the gate and caught hold of the iron bars and shook the gate. After the mob was cleared I noticed that one *kunda* was missing. This was about an hour after the gate was shaken.

Q. Can you tell whether the *kunda* was on the gate in the morning?

A. I did not particularly notice it. I cannot tell whether the *kunda* was missing three or four days previously. No reports of its being missed was made by any official.

Q. Has the *kunda* been found yet?

A. It has not been found. It was looked for but not found.

Q. Has the *kunda* fallen, inside or outside?

A. Inside.

Q. Was any attack made on the iron gate of the Jail before the arrival of the Sessions Judge?

A. No.

Q. When was the attack made on the iron gate by the crowd?

A. About half an hour after the arrival of the Sessions Judge on the Jail. The Sessions Judge was at that time in the civil ward.

Q. How many *kundas* are there in all on the iron gate of the Jail?

A. Four.

Q. How many *kundas* were missing?

A. Only one. All the three were there in tact. One of the *kundas* which was already there had become loose and it was set right afterwards.

Q. Could the iron gate be opened if only one of the *kundas* is missing?

A. No.

(Sd.) RAGHUNATH RAINA,

Deputy Jailor.

Certified that the above statement was read over to the witness and was admitted correct by him.

(Sd.) RAM NATH SHARMA,

14th August 1931.

Secretary Enquiry Commission.

WITNESS No. 26.

Abey Singh, Sepoy of Suraj Gurkhas, on S. A.

This is my written statement (Ex. 35) just now read over.

Q. Were you on patrol duty on this particular day of firing?

A. Yes. We were four Sepoys and one Naik on patrol duty. Two roads meet about 10 or 12 paces from the bridge Nawa Kadal. I heard the name that day. The crowd of about 100 men collected there. They were all Mohammedans. The road was blocked. The Naik said to them "There is no need for you to collect here in such a number, you go on your business". One man out of the crowd came forward and said loudly and excitedly, what have you to do with our standing here, you go and do not stay here. At this juncture, stones were thrown on us, and the Naik ordered us to go forward towards the bridge. We advanced towards the bridge. When we came on to the bridge I noticed that the road on the other side of the bridge was also blocked on the bridge. About 200 or 250 people collected there. They were all Mohammedans. Men from both sides threw stones on us who were in the middle.

One man out of the crowd in front came up to me and caught hold of my rifle. I pushed him away but 5 men closed in with me. They wanted to snatch the rifle out of my hands. There was also water on both sides. I was afraid I may be thrown in the water with the rifle. I shouted to the Naik for orders warning him that my rifle will be snatched away and I shall be beaten. He ordered the Sepoys behind to fire. I heard two rounds. I did not see anybody falling. The men who had closed in with me did not let go of me even after this firing at my back. I therefore called out to the Naik again that my rifle was still in danger of being snatched away. He therefore ordered all four of us to fire and force our way forward. We all therefore fired, say, four more rounds. I also fired. The crowd thereupon dispersed and we went forward.

Q. Did you see any one wounded and fallen down?

A. No. I knew that one man was killed and two wounded by the firing when I returned after my patrol to the picket near the Police Station. I there saw Nawab Sahib, Brigadier Colonel Sutherland and the I. G. P. These officers saw the locality. At first the statement of Naik Onkar Singh was taken. Three officers of mine held an enquiry and they took my statement on the same date.

Q. Was there a seventh round fired?

A. Yes. I did not mention it. One of our men Glodu was surrounded and he had to fire before he could get clear. He had got separated from us.

Q. When you went to the Police Chowki, you stated that you saw one dead body and two wounded. Does this correctly represent the situation?

A. I cannot say whether anybody was dead. I only saw three men lying on *charpoys*.

Q. Did you see faces of the men lying on the *charpoys*?

A. No.

Q. Could you see whether any of the men who were holding your rifle was killed or wounded?

A. No.

Q. Was your rifle released at the time when you fired at the crowd ?

A. No. Some of the men were still holding my rifle.

Q. Were you also struck when the crowd began to throw stones on the patrol ?

A. Yes.

Q. Were you treated at the hospital after you were wounded ?

A. No. I received only slight injuries. One of my fingers began bleeding but I did not go to the hospital for treatment.

Q. Was any of the patrol admitted in the hospital for treatment in consequence of the injuries received by stone throwing ?

A. Nobody was admitted in the hospital.

(Sd.) ABHEY SINGH,

Sepoy of Suraj Gurkhas.

Certified that the above statement was read over to the witness and was admitted correct by him.

(Sd.) RAM NATH SHARMA,

14th August 1931. *Secretary Enquiry Commission.*

WITNESS No. 27.

Sepoy Glodhu, on S. A.

This is my written statement (Ex. 36).

Q. How many rounds were fired ?

A. Seven rounds were fired.

Q. How many rounds did you yourself fire?

A. Two.

Q. Would the crowd have let you go if you had not fired?

A. In my opinion they would not have let me go if I had not fired.

Q. Were you injured in consequence of the stone throwing made by the mob ?

A. Yes, I was injured in two places, one on the shoulder and one on the back.

Q. Did you receive any serious injury ?

A. Yes, the injury at the back was a serious one.

Q. Did you go to the hospital for treatment?

A. No.

Q. How many men of the crowd caught hold of Abhey Singh's rifle?

A. Four men caught hold of his rifle. I was surrounded. I did not know anything afterwards.

(Sd.) GLODHU,
Sepoy.

Certified that the above statement was read over to the witness and was admitted correct by him.

(Sd.) RAM NATH SHARMA,
Secretary Enquiry Commission.

WITNESS No. 28.

Pandit Gopi Chand, Constable, on S. A.

This is my written statement (Ex. 37).

Q. Where were you injured?

A. I received injuries on my head and on my body. I bled from my head. I produce my uniform which I was wearing at the time and which is stained with blood.

Q. How did you reach the Jail?

A. I fell down and became unconscious. I am not aware how I was taken to the Jail hospital.

Q. How far is the Jail wooden gate from the place where you were assaulted?

A. The Jail wooden gate is 9 or 10 Jarib (one Jarib=100 ft.) from where I was attacked.

Q. Were the two constables who were with you also injured?

A. I know of one constable who was injured. He was with me in the hospital. His name is Gurdit Singh.

I remained in hospital from that day (13th July) till the day before yesterday when I returned to the Lines.

Q. What happened to the prisoners who were being escorted to the Jail?

A. I did not see them after that but I am told that two of them have been brought back to the Jail. The other two are still at large.

(Sd.) GOPI GHAND,
Constable No. 1743.

Certified that the above statement was read over to the witness and was admitted correct by him.

7th September 1931.

(Sd.) RAM NATH SHARMA,
Secretary Enquiry Commission.

WITNESS No. 29.

Rai Sahib Pandit Sham Sunder Lal Dhar, Director Devasthans, on S. A.

This is my written statement just read over (Ex. 38).

Q. Where is your house situated?

A. My house is situated at the 7th bridge.

I was proceeding from my office to my house. My office is in Gulab Bagh near the Shali Stores. I had advanced about three furlongs from Chhattabal when I met the crowd. I show on the Municipal map the route taken by me. I started from Gulab Bagh and went north-east *via* Mr. Hadow's factory. My house is on the other side of Safa Kadal (7th bridge). I was assaulted near Chhattabal.

Q. Is it on the way to Maharajganj?

A. This route is right away from Maharajganj and does not pass through Maharajganj. It is on the other direction from Jail.

Q. Can you tell the exact time?

A. The time must have been between 4 and 4-30 p. m. It cannot be after 4-30 p. m. A tremendous noise was heard and many rumours were afloat. All the offices were closed and all the clerks ran away to their own houses. Yusuf Khan who accompanied me is a Chaprasi of my department. The way of my car was stopped by the crowd. I stopped but kept the engine going.

Q. Were you injured?

A. No.

I turned into a by-lane which is not a motor road and thereby evaded the crowds. The houses of Pandits were there. They were all closed. But seeing my difficulty one Pandit opened his door and I entered the house.

Q. How do you know that Chaprasi who was a Mohammedan was mishandled by the crowd?

A. He told me afterwards. His coat was torn and his *safa* was thrown away.

Q. What was the reason of the Mohammedan crowd mishandling a Mohammedan?

A. The coat and truban were of uniform. The Mohammedans objected that a Mohammedan should serve a Hindu.

Yusuf Khan does not accompany me to my house usually. I took him along with me on that particular day because I had heard of disturbance and thought it wiser to have a Mohammedan with me.

Q. Who accompanied the car of your family which you have stated was attacked?

A. There was my brother-in-law Prithi Nath Madan in the car and my cousin Jagan Nath Koul.

(NOTE.—I would like to examine the one or the other. Mr. Sharma will summon one of the two after obtaining written statements from both).

Q. Who was the driver of your car which carried your family?

A. The driver is named Rasul. (Mr. Sharma wil summon Rasul).

Q. You have stated that your car was damaged. Was any of the inmates of the car injured ?

A. My daughter received an injury on her arm.

Q. Do you think that the Mohammedan crowd who attacked you recognized you from the special cry they raised in attacking you?

A. Yes. It appears that they did recognize me.

My brother-in-law says that he could identify one or two of the four or five Mohammedans who rescued the car from the fury of the mob. I turned my car at once and had no opportunity to look at faces with care so as to identify men afterwards.

Q. Was your house attacked ?

A. No. I heard rumours that my house will be attacked so I wrote for a special guard and one was posted near my house on the 14th of July.

Q. How many Mohammedans do you think were collected in front of your car ?

A. There must have been seven or eight hundred people because I saw the crowd right up to the bridge and beyond towards the weir.

The crowd was bare headed all the men carried lathies but some carried stones also which I know from their throwing stones towards the car.

Q. Were you followed by the mob after you left the car and ran inside the lane ?

A. No. The crowd only reached near the Jamadar.

Q. Did the crowd damage your car after you left it ?

A. No. My car was not damaged.

Q. Did you go to Maharajganj that day ?

A. No.

Q. From the shouts or anything else did you gather that the crowd was returning from the Jail ?

A. No. I did not draw any such inference. I had heard before I left office that there had been a disturbance at the Jail. The Jail is about $2\frac{3}{4}$ miles from where I was attacked. One road from where I was attacked to the Jail would pass through Maharajganj. But there is another road also leaving Maharajganj on one side.

Q. You state in your written statement that it was known to many persons that there would be disturbance at the Jail. How did you know that ?

A. I was hearing two days previous to 13th of July that there will be a disturbance at the Jail.

Q. Can you give me any definite source of your information ?

A. No.

Q. What did the people generally say as to what would happen on the 13th of July ?

A. It was generally stated that there would be an attack on the Jail and this was widely known two days before the riots took place on the 13th. I also knew about this two days before the riots but I did not

believe it. And that was the reason why I did not inform any responsible person of these rumours.

General Questions.

Q. You have given certain suggestions in the first part of your written statement as to how the agitation may be kept under. You have however not given any opinion as to how the desire of Mohammedans for a larger share in Government posts is to be satisfied ?

A. I do not think that this is a genuine demand or that it is one of the causes of the disturbance.

Q. Then in your opinion the Mohammedans have no dissatisfaction with the Government ?

A. Whatever other causes may be, want of employment in Government service is not in my opinion one of the causes of dissatisfaction because I do not believe that there are more than 10 or a dozen Matriculated Mohammedans who are without employment.

Q. You do not think that the Government employees a larger number of Hindus than the Mohammedans ?

A. So far as capable men who are being employed are concerned this is not the case. On the other hand I believe that less competent Mohammedans have been employed in preference to more competent Hindus.

Q. Now I shall take only one department *i. e.* Revenue Department. Have you any idea of the percentage of the official employment in that department for Mohammedans ?

A. I have no idea. I am in the Revenue Department but I am not in direct touch with the department because mine is a separate department of Dharmarth Department.

Q. Are you a candidate for the post of Wazir Wazarat ?

A. Not now. I was enrolled as a candidate some time ago.

Q. Have you ever heard that there is a small percentage of Mohammedans employed in the Revenue Department ?

A. I have never heard such a complaint.

Q. Have you got any Mohammedan friend as acquaintance ?

A. I know many among local Mohammedans.

Q. During your talk have they ever suggested to you that the Revenue Department is practically closed to the Mohammedans ?

A. Such an opinion was never expressed to me by any of my Mohammedan friends. They have never said any such talk before.

Q. Do you think that there was no such grievance of theirs ?

A. Such is my opinion. I do not believe there was any grievance. If there had been a grievance it would have been expressed.

Q. Then what is your opinion as to the complaints of the treatment which the Mohammedans in the State expressed in Mohammedan papers outside the State ?

A. So far as I know these complaints are not indigenous but complaints engineered by outsiders.

Q. Do you know any young Mohammedan leaders here ?

A. I do not know the leaders of the present day. I know the former leaders of good family in Kashmir. They have however no

influence at present. I do not think that they have any particular grievance of want of employment in the State.

Q. Then you have paid no thought to the present agitation led by the present young Mohammedans?

A. No. I have not given any thought to the present agitation led by young Mohammedans.

Q. You have made 18 definite suggestions for the future in clause (5) of Part I of your written statement. May I suggest to you that these are temporary expedients and do not go to the root of the matter?

A. These may be temporary expedients. But these are suggestions which would lead to peace and quiet. If there are any root causes for the dissatisfaction of the Mohammedan sections of the public, it is for the Government to discover and remedy them.

Q. Have you had any dealings with cultivators?

A. Certainly. I am myself a *Chakdar* in Kashmir.

Q. Have these tenants had any grievances or not that they do not acquire any right of property in the land?

A. I have never heard such a complaint.

Q. What is a *Chakdar*?

A. A *Chakdar* has no right of proprietorship. I have no right of proprietorship because a *Chakdar* has no right of proprietorship. I am not able to transfer my property here.

Q. Have you any grievances or not on the score that you have no proprietory rights on the land but only *Assami*?

A. No such thought struck me.

Q. What are the rights of your tenants?

A. They have the right of taking half the produce.

Q. What are their rights as regards tenure?

A. The tenure is both permanent and at-will.

Q. Can you turn out your tenants when you like?

A. I can eject only tenants at will and not permanent tenants. Permanent tenants may be ejected only on special grounds.

Q. Who are your tenants?

A. All the tenants in my *Chak* are Mohammedans. Some of them are Shias.

Q. How many tenants have you got?

A. I must have seven or eight hundred tenants.

Q. Did you ever go among them?

A. Yes.

Q. Have you ever heard them say that their lot is a hard one, as they have no security of tenure?

A. No. No such idea has yet entered in the heads of the tenants. It is true that if I desire to eject permanent tenants they would raise an objection on the ground that they were permanent.

Q. How many of your tenants are permanent and how many at-will ?

A. A large majority are permanent, five or six hundred.

Q. In your *Chak* are they all cultivators or some of them are also labourers for others?

A. They are all cultivators and there are no labourers.

Q. Does an Agricultural labour class exist in the villages or no ?

A. He does not. Only in places round about the city, working on roads etc. there are some labourers.

Q. Then what in your opinion would be the labour class in Kashmir ?

A. The labouring class would be confined only to the city where work is done on roads etc. I do not think that there is any class away from the city which exists solely on labour without any cultivation. In rare cases a cultivator being alone may take another man to help him in the cultivation.

Q. How long have you been a servant of the State ?

A. For nine years.

Q. Before that, did you live in the State ?

A. Yes.

Q. From your experience could you say whether the number of Mohammedans taken into Government employment, is less or more, since His Highness came to the *Gaddi* ?

A. So far as I know and I have heard a much larger number of Mohammedans has been taken into service since His present Highness came to the *Gaddi*.

Q. Did you know that there is a notification by His Highness that only hereditary State subjects may be employed in the State ?

A. Yes.

Q. How do you think this order will affect so far as Mohammedans are concerned ?

A. This order must lead to the benefit of both local Hindus and Mohammedans as people from outside are stopped from coming into services. As the Mohammedans get more and more educated they will have larger opportunities of employment.

Q. What do you think about the chances of education to the two communities relative to each other ?

A. In my opinion, the Mohammedans have equal chances for education with the Hindus. Further, the recent order of Compulsory Education will benefit Mohammedans more than Hindus, because among the Hindus education was practically compulsory before also, and now the Mohammedans will have the greater advantage as they will get educated in a far larger proportion than they used to be before.

Q. In what area is the compulsory education in force ?

A. I have no definite opinion but there is compulsory primary education in Srinagar.

NOTE.—Information shall be obtained from the D. P. I. as regards the Compulsory Primary Education. How many schools there are and what proportion there is of Mohammedans and Hindus.

PART II.

Q. Was any house or shop looted in your Mohalla on the 13th July and afterwards ?

A. One grocer's shop was looted on 13th July.

Q. Did you enter and see the shop in your Mohalla which was looted ?

A. No. I did not enter the shop but I saw about 10 or 15 persons who where looting the shop and ran away on hearing the horn of my car.

Q. Did you see any of those persons running away with any stolen property ?

A. Yes. Some of those persons had some of the things in their *chadders*.

Q. You stated that when you were returning from the office on the 13th July, your *Motbir* P. Madho Koul was with you in your car. Where did he go when you left the car and hid yourself in a Pandit's house ?

A. He also came following me and hid himself in the same house where I took shelter.

(Sd.) SHAMSUNDAR LAL,

8th August 1931. *Director Devasthans.*

Certified that the above statement was read over to the witness and was admitted correct by him.

(Sd.) RAM NATH SHARMA,

8th August 1931. *Secretary Enquiry Commission.*

WITNESS No. 6.

Pandit Sudarshan Koul, A. S. P., on S. A. (recalled).

10th August 1931.

Q. Is this order issued by you ?

A. Yes. This is an order of 1st Sawan 1988 (16th July1931).

Q. When searches were so important why did you issue an order like this of stay of searches so soon after the loot ?

A. The Inspector General of Police orally directed me to suspend searches for that time. Jewa Singh, Sub-Inspector, had written to me that he had not sufficient constables at his command to carry out searches so he was afraid of entering houses without sufficient support. I had previous to that received the oral order of the Inspector General of Police to suspend searches for the time being and that is why on receipt of Jiwa Singh's report I issued this particular order (Ex. 39).

Those papers of Jiwa Singh I forwarded to the D. I. G. or D. S. P.

Q. Did you send along with those papers a copy of this particular order (Ex. 39) ?

A. I do not remember.

Q. When the order of suspension of searches after loot is such an extraordinary and inadvisable one why did you not obtain a written order from the I. G. P.?

The question was repeated to the witness whether he was astonished or not at such an order of stay of searches after loot ?

A. I was astonished at such a order.

Q. Why did you not obtain a written order to this effect from the I. G. P?

A. I trusted to his word and did not ask for a written order.

(NOTE.—Mr. Sharma shall recall the I. G. P. to enquire from him whether on the 1st of Sawan 1988 (16th July 1931) he issued an oral order to Pt. Sudarshan Koul, A. S. P., to suspend searches.)

Q. Was this order of suspension given only with respect to Vicharnag or with respect to enquiries in every quarters of the city ?

A. The I. G. P. did not specify any locality. He gave me a general order for the suspension of searches.

Q. When you had this talk with the I. G. P. did he give you any reason himself or on your enquiry for the suspension of the searches ?

A. So far as I remember the words used by him in support of his order were "Hukam hai" (such are the orders).

Q. Was any body present at that time when this oral order was given to you by the I. G. P. ?

A. I don't remember.

Q. What is this other report (Ex. 40) ?

A. I have written it. That order was also issued to the said Sub-Inspector Jiwa Singh. It is of the same date 1st Sawan 1988 (16th July 1931). It must have been issued in answer to some other report of his.

Q. Do you know anything about the rumour spread of the burning of the Sangam bridge prior to the actual burning of the bridge ?

A. I produce an anonymous letter (Ex. 41). This was received by the Governor. The order of the Governor is dated 7th Sawan 1988 (22nd July 1931). This order ought to have been communicated to the A. S. P. of Anantnag. But by mistake it was sent to me while I was in charge here at Srinagar. I received this letter on 10th Sawan (25th July) and the bridge was burnt during the previous night. Along with that letter I received the two accompanying letters (Ex. 42 and Ex. 43). There is no order separately of the Governor on these two papers (Ex. 42 and Ex. 43). B. Anand Swarup the A. S. P. of Anantnag received two other applications from the Governor also before the bridge was burnt. In pursuance of those letters he had taken certain action.

(NOTE.—On Ex. 43 there is no date. There is no date on Ex. 42 either. There is no date on Ex. 41 either. There is on it the order of the Governor dated 7th Sawan 1988. The order is "The letter may be sent to the A. S. P. Anantnag for necessary action." On 10th Sawan there is the order of P. Sudarshan Koul, A. S. P.

Q. Were you present when certain officials of the Police and the Governor went to Mr. Wakefield ?

A. I was not present when a representation may have been made by the Police officers and the Governor to Mr. Wakefield as to the necessity of guarding the Sangam bridge.

Q. Apart from these letters did you receive any information before the burning of the bridge that the bridge was likely to be destroyed ?

A. No.

Q. Did you at any stage suggest to the I. G. P. or the D. I. G. that in view of the insufficiency of the Policemen house searches might be suspended for some time?

A. No. I rather wanted the house searches to be made and that is why I repeatedly asked these two officers to increase the Police force. (The witness adds). So far as I remember on or about 6th Sawan I received an order from the I. G. P. through the D. S. P. that searches may be made by one Hindu and one Mohammedan Police officer jointly, but the help of the armed Police should be taken for the search and if the help of the armed Police will not be considered sufficient the help of the Military may be asked. That order must be in the office. I have not got it here. (NOTE.—Mr. Sharma shall write to the D. I. G. to send a copy of this order).

Q. You have stated above that on receipt of the oral order of the I. G. P. to the effect that house searches should be suspended you issued a written order dated 1st Sawan 1988 to Jiwa Singh, Sub-Inspector. Did you communicate that order to any other Police officer subordinate to you ?

A. So far as I remember I gave oral instructions in regard to this matter to two Inspectors subordinate to me. The written order was issued to Jiwa Singh, Sub-Inspector, because he was investigating cases at Vicharnag and away from me. The other two Inspectors and their subordinates Sub-Inspectors were with me.

Q. Did you speak to the D. I. G. or the D. S. P. about the oral order of 1st Sawan 1988 which you say was given to you by the I. G. P. for suspending house searches in Srinagar ?

A. I do not exactly remember whether I spoke to them or not about the order of the I. G. P. but they met me almost every day. (The witness adds). On 2nd Sawan 1988 a Superintendent of Police Pandit Prem Nath, Incharge Training School, was put in charge of the investigation of Vicharnag and Jail directly and D. S. P. Srinagar was made responsible by the D. I. G. for the investigation in the city. On 2nd Sawan also I was responsible though the D. S. P. were put in charge of the investigation. So far as I remember a Magistrate was put on to join in the investigation along with the Police on the 14th or 15th of July.

(Sd). SUDARSHAN KOUL,

Assistant Superintendent of Police, Srinagar.

Certified that the above statement was read over to the witness and was admitted correct by him.

10th August 1931.

(Sd.) RAM NATH SHARMA,

Secretary Enquiry Commission.

WITNESS No. 30.

Khawaja Saif-ud-Din, Sub-Inspector, on S. A.

This is my written statement (Ex. 44).

Q. Why did you go to the Jail leaving your own Police Station?

A. I was in search of a man who had given a lecture in Juma Masjid. I had heard that there would be a collection of Mohammedans at the Jail and the person whom I wanted was also a Mohammedan that is why I did go to the Jail in search of him. My Police Station is on the other side of Zaina Kadal. There is a Chowki (out-post) belonging to my outside Police Station at Maharajganj Bazar. Maharajganj Bazar is within my jurisdiction.

Q. Had you any information on the morning of the 13th of July of the likelihood of the loot of the bazar which would have necessitated you to remain at your Police Station and not to have left it?

A. I had no information.

Q. How long before the riot had you taken charge of this particular Police Station?

A. 15 days earlier.

Q. Did you not know that the Mohammedans were more or less in an excited state after you took over charge of this particular Police Station?

A. I had such an idea.

Q. Then at such a time why did you leave your Police Station?

A. I had no apprehension of any loot being committed at the Maharajganj Bazar.

Q. What do you mean by the word *Murtakiban* (persons who commit an act) when you say that you received order from the D. I. G. to arrest them?

A. By that word I mean persons who had strayed into the compound previously and had assaulted the Jail.

Q. Did you arrest any one?

A. I arrested two or three men.

Q. Were these the men whom you had seen previously inside the compound?

A. Yes. They were among the men who had attacked the iron gate.

Q. You say in your written statement that you received two stones on your chest. Did you suffer from the effect thereof?

A. I was stunned at that time but I did not suffer any bad effects subsequently after I had revived.

Q. Will you state the outward circumstances which made you think that a loot had been committed at Bhuri Kadal when you went there?

A. At Bhuri Kadal I noticed the shop of a perfumer. The boards for closing the shop were broken. On the road I saw *Haldi* and various dyeing materials lying scattered. At one shop a Pandit was crying loudly

and complaining. He cried that the Mohammedans had beaten and looted him.

Q. What did you see when you reached your own circle?

A. Bhuri Kadal itself is within my circle. The Jail also is within my circle.

Q. What did you see when you reached Maharajganj Bazar?

A. There also I observed signs of looting.

Q. While visiting the locality on Saturday the Chairman noticed that there were Mohammedan shops also in between the Hindu shops outside what is called the *Gola* (Square of Maharajganj). Did you particularly notice whether any of these Mohammedan shops were also looted?

A. I did not distinguish at that time between the Mohammedan and Hindu shops but 1 noticed particularly that there was no Mohammedan present at that time, nor was there any Mohammedan raising any cry that his shop had been looted.

Q. There is, as the Chairman saw, a medicine shop just below your Chowki which is approached by stairs. Did you notice that, that shop had been looted and bottles broken?

A. I cannot tell. I did not particularly notice that shop.

Q. The Chairman during his visit particularly saw the shop of one Karam Chand of Tulsi Dass Kesho Dass at Maharajganj where considerable damage was done and who also complained that his servant who was inside the shop, on that day, was missing. Did you see that shop particularly at that time?

A. I do remember that at that time that man was crying and complaining loudly and he did say at that time that his servant was missing.

Q. So far as I remember no incident is mentioned in your written statement and no one having confronted the crowd called out to it "You are an unlawful assembly and if you do not disperse, you will be fired upon". Do you remember any such incident?

A. I do remember it. Before the fire was opened the D. I. G. called out to the crowd "You are an unlawful assembly and should disperse atonce".

Q. How did you come from the Jail?

A. In a motor vehicle. I did not leave the Jail until after the gathering had completely dispersed. Some of the people had arrived at Maharajganj Bazar before me and as stated above I came in a motor lorry.

Q. You have stated in your written statement that by the attack of the crowd on the iron gate of the Jail, the *kunda* of the iron gate was also perhaps broken. What do you mean by perhaps? Did you actually in your presence see the *kunda* being broken by the mob?

A. I did not actually see the *kunda* broken in my presence, but the two nails of the *kunda* had become loose, and they were set right in my presence.

Q. Was any Lathi charge made by the Police before the fire was opened?

A. A Lathi charge was made by the Police after the arrests had been made and before the fire was opened.

Q. You have stated above that on the morning of the 29th of Har 1988 you had absolutely no apprehension of any disturbance in the city but P. Sudershan Koul, A. S. P., informed you on the evening of 28th Har that there was an apprehension of an attack being made on the Jail and that the entire Police strength in the Police Station should be kept ready for all emergencies?

A. Yes. I remember that on the evening of 28th Har 1988, an order had been received from P. Sudershan Koul, A. S. P., to the effect that the Policemen in the Station should be in uniform the next morning, but it was not stated with what object they were to remain in uniform. In the order given by the A. S. P. referred to above, there was absolutely no mention of any sort of apprehension of any disturbance in the city, on 29th Har. I do not however, remember whether the order of the A. S. P. was given in writing or on telephone.

Q. When you returned from the Jail to Bhuri Kadal and Maharajganj Bazar, were you able to find out on that day the exact time at which the loot had started at Maharajganj Bazar?

A. Yes. I was informed that the loot had started at the Maharajganj Bazar between 2 and 2-30 p. m.

Q. At what time was the fire opened at the Jail?

A. At about 1-30 p. m.

Q. Is it your opinion that the mob which had collected at the Jail, after being dispersed from the Jail, went to Maharajganj Bazar and looted Bhuri Kadal and Maharajganj?

A. I believe from the way the crowd decreased at the Jail that it was part of the same crowd which was at the Jail and had reached Maharajganj and Bhuri Kadal and committed the loot there. Possibly to this crowd some other stray Mohammedans may have been added to.

Q. How many Policemen are on duty at the Chowki which the Chairman has mentioned being above the doctor's shop?

A. There are 9 constables there. I cannot tell whether they shut themselves up in the out-post. A separate enquiry is being made about the matter.

There is no clock or time-piece kept at this Police out-post. The constables also said that the looting commenced between 2 and 2-30 p. m. but having no time-piece or clock they could not give any exact time.

Q. If no clock or time-piece is kept how is the time of a particular report put down?

A. Approximate time is put down by questioning people round about who know the time.

Q. Was any constable of your out-post injured or suffered damage to his clothing?

A. No.

Q. The Chairman noticed an omission in the very detailed written statement of the witness as to a wounded constable being brought into the Jail? Do you remember the bringing in of a wounded constable and when he was brought?

A I cannot remember. I did not see the wounded constable being brought in. There was so much noise and commotion that this incident apparently did not attract my observation.

Q. It may be taken for granted that report of the loot was entered in the *Roznamcha* (daily diary) of the Maharajganj out-post. Have you seen it and do you know what time is given in that report as to the starting of the loot?

A. I have not enquired in this matter.

(NOTE.—The witness is requested to send to the Secretary a copy of the entire *Roznamcha* of that out-post of the date 13th July 1931).

Q. Do you remember receiving an order of the A. S. P. Pandit Sudershan Koul to stop searches?

A. I started investigation from 14th July. Yes, I remember that I received an order from the A. S. P. Pandit Sudershan Koul to suspend searches. I received that order on 1st Sawan (16th July).

Q. Did you search any houses previously?

A. Yes. On the 29th of Har that is the date of the riot I had searched 3 houses.

Q. How long did you suspend searches?

A. Order was given orally to me because this particular A. S. P. himself was incharge of the investigation. I cannot remember for how many days the searches were suspended.

(Sd.) SAIF-UD-DIN,

Sub-Inspector.

Certified that the above statement was read over to the witness and was admitted correct by him.

(Sd.) RAM NATH SHARMA,

13th August 1931. *Secretary Enquiry Commission.*

WITNESS No. 31.

Sheikh Abdul Aziz, Sub-Inspector of Police, on S. A.

10th August 1931.

This is my written statement (Ex. 45).

Q. Were you on investigation duty on 1st Sawan?

A. Yes. I was on such duty at Maharajganj.

Q. Did you receive any order on that date to suspend searches?

A. I did not receive any such order, nor was any such order given in my presence.

My business was to write up the diary of the investigation. I was not deputed at that time to make searches. Other persons were so deputed

Q. You have stated about making certain searches in Ward No. 4.

A. I made searches thereafter the 11th of Sawan.

(Sd.) ABDUL AZIZ,

26th Sawan 1988. SUB-INSPECTOR POLICE,

In-charge Parade and Law Institute Police Training School.

Certified that the above statement was read over to the witness and was admitted correct by him.

(Sd.) RAM NATH SHARMA,

10th August 1931. *Secretary Enquiry Commission.*

WITNESS No. 32.

Sardar Jiwa Singh, Sub-Inspector Police, on S. A.

Q. Was this order (Ex. 39) addressed to you?

A. Yes.

Q. On what duty were you deputed at the time?

A. On 31st Har I was deputed to Vicharnag to investigate regarding the dacoity committed there. On 31st Har at 6 p. m. I reached the locality and I had only two constables with me, so I did not make any search that day. I therefore submitted a report to the A. S. P. Pt. Sudershan Koul that I must be given help of Policemen in order to make searches or Military help may be given. In answer to that submission these two orders were received (Ex. 39 and Ex. 40).

Q. If you had not received these orders would you have conducted any searches?

A. Certainly and property could have been found at the time.

Q. Were searches necessary for your investigation?

A. Searches were necessary at the time for the purposes of my investigation.

(Sd.) JIWA SINGH,

Sub-Inspector Police.

Certified that the above statement was read over to the witness and was admitted correct by him.

(Sd.) RAM NATH SHARMA,

10th August 1931. *Secretary Enquiry Commission.*

WITNESS No. 33.

Pt. Gwash Lal, B. A., on S. A.

This is my written statement (Ex. 46).

Q. Are you in a bad state of health?

A. Yes, but not permanently. I received a cut during the riot. It was with a knife. I was in hospital and left it on the third day. I was suffering from the wound for some time. Recently three or four days ago I got a cold and my throat is bad.

Q. When did you receive this wound?

A. On the 15th of July that is two days after the riot started. I was going from my house between the first and second bridge to Nawa Bazar to see a friend. I was walking. About fifty Mohammedans attacked me. I was given a cut with a knife. I was also looted. My wrist watch, fountain pen, cap, handkerchief, pump shoe and stick were taken away. Also my papers. My coat and shirt were torn. Among the crowd some cried that I should be thrown into the river and others said that the wound would be sufficient to kill me and that I may be buried afterwards. They then pushed me. I got loose and ran towards Tashawan. I came across a lorry containing Military people there. I was given a lift in that and taken to Maharajganj square. The Police refused to help me and to take me to the State hospital. I wanted to go there and not to the Maharajganj hospital where they wanted to send me. I was proceeding towards the hospital and was in a bleeding condition when Capt. Wreford came in his car and drove me to the State hospital. On the other side of the third bridge I met Nawab Khusru Jung, Brigadier Sutherland, I. G. P. and D. I. G. P. They requested Capt. Wreford to drive me to the place where I was attacked and I was driven there. At that place on my identification three men were arrested. Finally I got to the State hospital.

Q. Were you attacked as a Hindu or particularly because you are what you are?

A. I think I was attacked merely because I was a Hindu. I was not identified particularly. Between 4 and 5 p. m. on 13th July I and Pt. Ganga Nath Ji, Director of the Mashir newspaper, were having a walk when a lorry containing some Policemen and Mohammedan arrested persons passed us. Whereupon out of the Mohammedan arrested persons somebody called out my name and said that I shall be punished within two or three days.

Q. For this reason you ought to have suspected that you will be attacked particularly because you happened to be yourself?

A. I cannot say that for certain.

Q. You have not mentioned the name of the high officer of Government who is said to possess the papers which support your statement. Who is that officer?

A. I do not wish to state his name. If the Commission made a reference to Government possibly the papers could be obtained. I am of opinion that a letter to the Prime Minister would serve the purpose.

NOTE.—Mr. Sharma will write to the Prime Minister quoting this question and answer and request the Prime Minister to supply the original papers if it is within his power to do so.

Q. Did you refer to one officer or more than one as to being in possession of the original documents which you refer to, on page 1 of your statement?

A. What I really mean is that the documents are in the possession of the Government.

Q. Why should Peer Hassam-ud-Din a Mohammedan have trusted you a Hindu and one well-known for sympathy with Hindus?

A. First of all we had become very close friends to discuss matters with each other. He also thought that I had influence with the *Riasti Parja Mandal* and help of me may be of use to him sometime. Possibly he had the impression that he may be able to draw me to his side and he believed that without the help of Hindus he cannot succeed in his efforts.

Q. Did not you think that such an expectation of his of wanting you as a friend would be tantamount to his expecting him to get the moon?

A. I cannot say; that such was his expectation.

Q. What is *Riasti Parja Mandal*?

A. It is a political association dealing with the affairs of Indian States, particularly the Indian States of the Punjab. I mean Indian States which are situated within the boundary of the Punjab.

Q. Is this association equally for the help of Hindus and Mohammedans or is it particularly for the help of Hindus?

A. This association is for the help of Riasti Parja (subjects of Indian States) indifferently and not particularly for the benefit of Hindu subjects of States.

Q. Has that association to your knowledge ever taken part of Mohammedan subjects of a State?

A. I cannot say specifically of such action taken by the Mandal (Association) itself, but I know that in the news editorial notes of its Newspaper the *Mandal Riasti Dunya*, the part of Mohammedan subjects of Indian States is also taken up.

Q. In what language is the *Riasti Dunya* printed?

A In Urdu from Lahore.

Q. Para. 4 of his written statement was read over by the Chairman to the witness and enquiry was made whether this idea of Mohammedans suppressing the Hindus is only for Kashmir or for India in general?

A. He refers only to this particular State of Kashmir.

Q. What was the time when he confided in you?

A. November 1930.

Q. When did your friendship commence? You have mentioned 1930?

A. The month was probably July or August in Srinagar.

Q. The Chairman said that from para. 2 of the statement he got an impression that he (witness) met Mr. Hassam-ud-Din in Jammu?

A. That is a mistake in typing. That sentence of my going to Jammu ought to have come lower down. I really met him for the first time in Srinagar.

Q. Who introduced you to Mr. Hassam-ud-Din first?

A. I do not remember the name of the person who introduced me to Mr. Hassam-ud-Din. It happened accidentally at Amira Kadal at a Newspaper shop.

Q. Who is Khalifa of para. 5 of your written statement?

A. He is Khalifa Abdur Rahim, Personal Secretary of Mr. Wakefield.

Q. What was the rise to him from Rs. 35?

A. I believe the salary he draws at present is Rs. 400 or a little more.

Q. You have mentioned the name of Pokhraj. I understand Pokhraj is a dancing girl of that name.

A. Yes.

Q. How does she come in the political picture?

A. I have mentioned her because the Peer Sahib used to tell me that she was wielding political influence.

Q. In what way this dancing girl Pokhraj was to serve the cause of Mohammedans?

A. I was told definitely by the Peer Sahib that Pokhraj was a friend of his and that she was friendly with high-placed men. So the presumption would be that she favoured the Peer Sahib's cause.

Q. What in your opinion would have been the desire of Mr. Wakefield to intrigue in order to undermine the influence of certain officers and public servants when he draws the highest salary in the State, has great favour of His Highness and the largest influence in the State?

A. I cannot answer such a question definitely but I have read in books and papers that even those who are at the highest pinnacle desire to rise still higher.

Q. One question suggested itself to me during the recess, are you in Government employment?

A. No.

Q. How did papers then came into the possession of Government? Was it through you?

A. A friend of Peer Hassam Din by name Hakim Barkat Ali lived in Jammu. He had another friend Maulvi Zia-ud-Din of Poonchh. Both of them had become my friends also. Peer Hassam Din used to leave Jammu abruptly on certain occasions. Zia-ud-Din and Barkat Ali once met me in Jammu during one of these abrupt absences of Peer Sahib. They told me that the Peer Sahib was an unreliable person and cheated us (دھوکہ دیدیا). I also said that he was a man of mystery. They took me into their confidence and showed me the papers which are now in the possession of Government. This happened at the commencement of 1931. I cannot remember the next month. I also was much perturbed by what I read because the papers showed that he said one thing and did anotner.

When I wished to prepare this statement (Ex. 46) to submit to this Commission I desired to get possession of those papers. At that time I got the information that the papers were not in their possession but in the possession of the Government. I got this information only a few days ago. I cannot remember how many. There was a file of the papers and I think there were 30 or 40 papers in it.

Q. Is the person called by you K. B. Abdul Majid Khan in para. 7 the same person as the one said to be an ardent conspirator Abdul Majid in para. 8 of your written statement?

A. Yes.

Q. I suppose you mean the Inspector-General of Co-operative Societies in the State ?

A. Yes.

Q. The phraseology of two sentences which I have read over to you in para. 7 and para. 9 of your statement would indicate that you were instrumental in getting possession of the documents. Is it true then that the Government got possession of the documents through an independent agency and not through you ?

A. Yes such is really the case. The documents were not obtained by Government through my agency.

Q. Para. 9 of his statement was read over to the witness and he was questioned: Have you read the reports mentioned in that para. by which the Chairman understood reports prepared by Pir Sahib and others against the Hindu officers of the State ?

A. The words documents and reports mean the same thing. The documents in possession of Government do consist of these reports of Pir Sahib and others against Hindu officials.

Q. In para. 10 of your statement you summarily state 'Reports' submitted by the Pir to Mr. Wakefield". How do you know that the Pir submitted these reports to Mr. Wakefield and did not prepare them for some one else ?

A. I have studied the reports. They are addressed to Khalifa Abdul Rahim and the presumption to be drawn from the reports and the mention of Mr. Wakefield's name is that they were addressed to Khalifa Abdul Rahim for production before Mr. Wakefield.

Q. There is a paragraph marked 5th by you in para. 10 of the written statement ? What is your meaning ? The Chairman expressed his inability to understand the sentence.

A. After studying the reports and documents and after what has actually taken place in the shape of riots my belief is that if an espoinage of Mohammedan officers had been carried on just as an espoinage of Hindu officers was carried on the riots would not have taken place.

Q. In para. 10 you have mentioned a code in which the letters are written. How did you get to know the code ?

A. The code was found with the letters. Possibly it was a duplicate copy kept for the information of certain persons in order to decipher the letters.

Q. Referring to para. 11 of your statement, do you mean that the Superintendent of Fire Brigade, Jammu and Kashmir, was only a constable when he was appointed Superintendent Fire Brigade ?

A. Jammu and Kashmir is a mistake. I meant only Kashmir. So far as my information goes this gentleman started from a low post.

Q. In the opinion of the Chairman the Agriculturist Relief Regulation has beneifitted the Mohammedans as the agriculturists of the State are Mohammedans. How do you mean in para. 11 of your statement that Mohammedans have in the long run been the losers ?

A. The point I wish to make is that by reason of the Regulation the money lenders do not lend money freely at present as they used to do before and Mohammedan agriculturists themselves have complained to me that they cannot borrow as easily as they used to do before.

Note.—The Chairman expressed opinion that the inability to borrow is a benefit to the agriculturists and not a loss and all relief acts in British India, for instance the Bundelkhund Relief Acts, have this point in view that the petty owners and cultivators may not be able to part with their property and borrow money thereon.

Q. Your meaning in the rest of your written statement would appear to be that Mr. Wakefield took part of the Mohammedans to run down Hindus and Hindu officers? What do you wish to convey there then the sentence "The two communities were like pawns to be shunted here and there at the sweet will of the mastermind"?

A. To the mind of the public both Hindus and Mohammedans, Mr. Wakefield carried great influence and every measure taken by Government was understood to be a measure engineered by him. There was a time when the Hindus thought that Mr. Wakefield was a great patron of the Hindus, that is how I mean that Mr. Wakefield used the community merely as pawns for his own game.

Q. When did you graduate yourself?

A. In the year 1923.

Q. What is your age?

A. About 30 years.

Q. Are any of your relatives in the Government service?

A. Yes.

Q. Can you name some of them?

A. My own brother Pandit Srikanth is a Head Clerk in the Wazarat office.

Q. Did you ever try to enter into the Government service, if so, for how long?

A. I was not very keen to enter into the Government service. But I might have tried for a Government job for a year or so.

Q. Did you ever go to Mr. Wakefield for Government service?

A. I went to him several times. I would not answer the question regarding my reason for going.

Q. Did you ever try for a post in the Co-operative Department?

A. I do not remember having ever tried for any post in the Co-operative Department.

Q. Was any criminal prosecution ever lodged against you by the Government for sedition or for some other similar offence?

A. No.

Q. When did you happen to see the confidential papers referred to in your statement which you say were shown to you by Hakim Barkat Ali and Khawaja Aziz-ud-Din?

A. In the beginning of 1931.

Q. Did you know from those papers of the existence of a conspiracy against the Hindus for the first time?

A. Yes, for the first time.

The witness added that I had received a hint of some such conspiracy even before reading those papers by remaining in contact with Peer Hassam-ud-Din.

Q. You have stated that it was in the beginning of 1931 that you came to know by reading the confidential papers and also by being in contact with Peer Hassam-ud-Din, of the existence of a conspiracy against the Hindus. Did you know that it was your duty as a citizen of the city of Srinagar to inform the Ruler of the State of the existence of the conspiracy immediately after you had come to know of its existence?

A. I had communicated a direct hint to His Highness the Maharaja Bahadur that something serious was going to happen long before the taking place of the riots. It was sometime between the date of his return to the State and the riots in Srinagar.

Q. Could you tell the Commission as to how that hint was communicated to His Highness? Did you give it to him orally or by a written letter to him or in the form of an article in the Press?

A. First a hint was given in the form of an article in a newspaper and afterwards, if I remember rightly, I also communicated that hint to His Highness by submitting a personal letter to him in this connection.

(Sd.) GWASHA LAL, B. A.

Certified that above statement was read over to the witness and was admitted correct by him.

17th August 1931. (Sd.) RAM NATH SHARMA,

Secretary Enquiry Commission.

WITNESS No. 34.

Lala Anand Sarup, A. S. P. Anantnag, on S. A.

This is my written statement (Ex. 47).

Q. When was the Sangam bridge burnt?

A. It was burnt during the night of 9th and 10th of Sawan.

Q. When did you reach Sangam bridge?

A. I reached the place at 4-30 a. m. on 10th of Sawan.

Q. Did you live in Anantnag during those days?

A. Yes.

Q. How far is Sangam bridge from Anantnag?

A. About eight miles.

Q. When did you know the news of the burning?

A. At 3 a. m. I was informed by a constable of Anantnag Police Station that the Sangam bridge was burning. He had received a wire. There is a Telegraph Office a mile from Sangam bridge from where the wire was sent. The Tehsildar, Munsiff and I went to the spot atonce in a

lorry. I saw that the piers of the bridge were there but the bridge was entirely burnt when I arrived.

Q. How do you know that the bridge was burnt ?

A. I suspected that the bridge was burnt because various anonymous petitions had been received.

Q. Did you smell any oil or petrol ?

A. The Public Works Department had put coal-tar over the bridge. The smell was of that coal-tar. I did not smell any thing else.

Q. While you were there did any European arrive ?

A. Mr. Wakefield arrived.

Q. Did any other Europeans arrived at the place at that time ?

A. Between 8 and 9 a. m. some car arrived from the direction of Srinagar with European officers.

Q. Did you smell petrol when you arrived ?

A. No.

Q. Did you at the time examine the Chowkidar and others and if so what did they say ?

A. I did record their statements. There were two Lambardars and two Chowkidars. They deposed that they came to the bridge at 10 p. m. on watch. They were on duty there from 10 p. m. to midnight. At midnight one Chowkidar and one Lambardar went towards the Telegraph Office to see that the wire was safe. The remaining Chowkidar and Lambardar sat at one end of the bridge. At 1 a. m. they noticed a flame from the other side of the bridge. They raised an alarm and ran to the other side across the bridge. The bridge caught fire suddenly and they, therefore, turned back and came back to the side from which they had gone. Villagers came with water in receptacles and nothing could be done to save the bridge.

Q. Was the bridge a wooden bridge ?

A. Yes.

Q. Did they see any body coming towards the bridge before the fire started at one o' clock ?

A. No. They did not see any body coming there.

Q. Was the night moonlit ?

A. I do not remember. When I arrived at the bridge it was cloudy and there was a little rain also.

Q. Had the culprits been traced so far ?

A. I was transferred to Srinagar the next day. I, therefore, know nothing about it.

Q. When did you receive these two papers (Ex. 48).

A. I received them on 21st July and the bridge was burnt during the night of 24th and 25th of July.

Q. Does any wood here burn of itself?

A. No wood burns very quickly. But there is no likelihood of spontaneous combustion.

Q. Who investigated the cause of the fire?

A. The Sub-Inspector of Anantnag Mohammed Umra Khan.

Q. With the exception of the entry referred by you in Chowkidar's book you have no documentary proof of giving any instructions regarding the safety of the bridge?

A. No.

Q. Why did you get the Munsiff and the Tehsildar to attest the entry which you say you made in the Chowkidar's book?

A. The Munsiff alone affixed his signature to the entry and I got him to do this to make it certain that I had written the directions before the fire and not afterwards.

Q. Did you believe the account narrated before you by the persons who were supposed to keep watch over the bridge that night?

A. I did not believe it.

Q. Did you insist upon getting some extra Police before the District Magistrate and the D. I. G.?

A. No. I submitted to them that I have not enough Police with me for the purpose. I therefore entrusted the watch and ward of the bridge to the Lambardars and Chowkidars. They did not say that they will send extra Police.

Q. Was any attempt made to burn the bridge at Khannabal?

A. No.

Q. Was any Police kept at the Khannabal bridge for this watch and ward?

A. The Police was kept at the bridge during the night and also Chowkidars and Lambardars and after the burning of Sangam bridge the Military was also kept there.

Q. Was there any disturbance in the town of Anantnag on the 29th of Har or afterwards?

A. There was no serious disturbance at Anantnag. But the shops remained closed there from 5th Sawan to 14th Sawan. The witness

added that though there was no serious disturbance but the Hindu community there was very much frightened and they submitted representations to authorities that there was fear of their being looted by *bakarwals* etc.

(Sd.) ANAND SARUP,

Assistant Superintendent of Police.

Certified that the above statement was read over to the witness and was admitted correct by him.

(Sd.) RAM NATH SHARMA,

12th August 1931.

Secretary Enquiry Commission.

WITNESS No. 35.

Th. Mian Singh, Sub-Inspector of Police, on S. A.

12th August 1931.

This is my written statement (Ex. 49).

Q. Did you have a revolver ?

A. Yes.

Rudar Singh, Head-constable, Sher Ahmed constable, Hari Singh, Vakil Singh, Jia Lal Pt., and Punnon Mal had Rifles. Other constables carried lathies.

Q. Who out of these fired ?

A. When I enquired as to who had fired, Sher Ahmed said that he and Hari Singh had fired.

Q. After the firing did you stop the lorry ?

A. No. The lorry had to stop before the firing because on account of the crowd the lorry had to leave the road. After the firing the crowd receded and the lorry thereupon came back on to the road.

Q. Are you certain that no one was hit ?

A. So far as I say nobody was hit and when I enquired of the constables they also said that no one was hit.

Q. Did you hear subsequently that any one was hit?

A. No. No such information was received afterwards. Sher Ahmed said that he and Hari Singh had fired in the air and not on any one.

Q. Did you report this occurrence to any superior officer?

A. After performing the duty with which I was charged with of putting guards at the houses of the officers I went to the house of the Principal of the Police Training School, Pandit Prem Nath and I told him about the firing. I also informed Bej Nath, Inspector of the Training School.

I cannot remember whether Sher Ahmed and Hari Singh were at the Jail or not during the riot.

Q. Did you make any written report to the Superintendent of Police about the firing?

A. No. I only told him verbally.

(Sd.) MIAN SINGH,

Sub-Inspector.

Certified that the above statement was read over to the witness and was admitted correct by him.

12th August 1931. (Sd.) RAM NATH SHARMA,

Secretary Enquiry Commission.

WITNESS No. 36.

Pt. Jia Lal Darbari, Sub-Inspector of Police, on S. A.

12th August 1931.

This is my statement (Ex. 50).

Q. Who fired from your lorry?

A. I do not know by personal observation who fired but when Sub-Inspector in charge enquired, Sher Ahmed constable said that he had fired.

Q. Did Sher Ahmed say that any one else had fired?

A. No.

Q. Did you know subsequently that any constable other than Sher Ahmed had fired?

A. No.

Q. Was any body killed or wounded as a result of the firing?

A. No. I turned my head but I did not see any body falling.

Q. You have stated that when you left the Jail Th. Mian Singh was directed by the Superintendent of Police to open fire in case an attack was made on the Police and an attempt was made to snatch away the rifles from the Policemen. Was that direction to open fire given to Mian Singh, Sub-Inspector or to any constable individually?

A. Such instructions were given to Mian Singh alone and not to constables individually.

Q. After the firing did Mian Singh asked Sher Ahmed or any body as to why the fire was opened without obtaining his instructions.

A. Yes. Th. Mian Singh asked Sher Ahmed constable and the latter said that as his rifle was being snatched away by the crowd he had to open fire. He also said that he fired in the air.

(NOTE.—The Secretary will summon Sher Ahmed and Hari Singh constables.)

(Sd.) JIA LAL DARBARI,

Sub-Inspector of Police (under training).

Certified that the above statement was read over to the witness and was admitted correct by him.

(Sd.) RAM NATH SHARMA,

Secretary Enquiry Commission.

WITNESS No. 37.

Lala Balmokand Kapoor, Trader Maharaj Bazar.

This is my written statement (Ex. 51).

The Chairman enquired whether the witness had thought of paying for the perpetual entertainment of a detachment of Military at or near Maharajganj Bazar. The witness suggested that the payment should be recovered from those who had looted the bazar.

The witness was asked to point out Garh Bazar where his shop was situated and he pointed to a spot on the map between Maharajganj and Zaina Kadal to the south-east.

Q. How did you know that it was 2 p. m. when you started from your shop ?

A. I keep a time-piece in my shop. It was exactly 2 p. m. *i. e.*, the time when I always leave my shop and visit Sadhus who have recently come to Kashmir and then go on to my house at Amira Kadal.

Q. I take it from your written statement that from the cries of the Mohammedans soon after 2 p. m. you gathered that firing had already taken place at the Jail ?

A. Yes. I saw a wounded person and concluded that the firing must have taken place prior to 2 p. m.

Q. How far is the Jail from the place where you came across the wounded man ?

A. About a mile and a half.

Q. I take it that your road is not *via* Maharajganj ?

A. Yes, that is so. It is on the road to Maharajganj from Amira Kadal that my shop comes in the way but coming from the Jail Maharajganj would come first.

The people who came from the Jail did not attack Maharajganj atonce. They had a wounded man with them. They first left the wounded man somewhere on the other side of Zaina Kadal, then returned and attacked Maharajganj Bazar. At first the crowd was not in a spirit of attacking but on their return from Zaina Kadal they were.

Q. How is it that your shop was not looted ?

A. We are three brothers and stood in front of our shop and that is why our shop was not looted ?

(NOTE.—The witness is strong and hefty and says that his brothers are of similar built. The witness further added that no shop was looted in Garh Bazar. His opinion is that the crowd was then just learning to loot and were not ready to loot).

Q. At what spot were you beaten ?

A. Stones were thrown at me while I was at my shop.

(NOTE.—The witness shows a scar on the top of his forehead. He says he received several stones on his person. There was a large wound from which he says he bled profusely).

Q. Did you see any dead body of a Mohammedan ?

A. No.

I had gone only 125 feet from my shop when I turned back and when I saw a Police man was being beaten I considered I would not be safe. The eyes of the Mohammedans looked bloody and it seemed they were intent on mischief. A crowd of 3 to 5 hundred Mohammedans came to my shop. First I saw this crowd carrying some wounded man on a *charpoy*. The crowd threw stones on its return and not when the wounded man was carried. The rumour was that the wounded man was put in a tonga on the other side of Zaina Kadal and driven away.

Q. Did you tell the Governor and the D. I. G. that you had suffered a loss of 2 or 3 lacs ?

A. No. I never said such a lie. What I said was that the Hindus whose shops had been looted had suffered a loss of several lacs.

Q. Have you got a Mohammedan partner ?

A. Yes.

Q. You say that persons coming from Jail must pass Maharajganj before reaching your shop. How could you then say that the crowd you witnessed that afternoon came from the Jail ?

A. It is quite correct. One must pass through Maharajganj while coming from Jail to my shop. I said that this crowd came from the Jail because on enquiry from some one of the crowd I was informed that these persons had brought a wounded person from the Jail.

Q. If it is put to you that your clock may be wrong. What do you say to this ?

A. This is impossible. I wind it at 12 noon every day when the gun is fired. At the outset there may be a difference of a minute or two but not more.

Q. Are you quite certain that the mob which had looted the Maharajganj Bazar was the same mob which had collected at the Jail ?

A. Yes. I am quite certain that it was the same mob while it was possible that some more additions had been made on the way.

Q. Do you know the name of the constable who was beaten by the mob at Garh Bazar ?

A. No.

(Sd.) BALMOKAND KAPUR SARAF.

Certified that the above statement was read over to the witness and was admitted correct by him.

(Sd.) RAM NATH SHARMA,

12th August 1931. *Secretary Enquiry Commission.*

WITNESS No. 38.

Pandit Premnath Bazaz, on S. A.

This is my written statement which I have read over to the Commission in public (Ex. 52).

The witness also put in an abstract of the lists of qualified unemployed Kashmiri Pandits graduates and under-graduates. He has also given a list of the names of all the graduates and those who obtained degrees and passed examinations—Matriculation examination and examination less than for a degree. These are the lists not of Hindus in general but only of Kashmiri Pandits. The witness further stated that according to his own information, there are not more than say 50 unemployed Mohammedans who may have passed Matriculation examination as against 438 Pandits whose names he has collected.

The witness also produced certain photographs to indicate the damage done during the riots and on the back of every photo there is a description of the photograph. There are 15 such descriptions—14 small and one large.

The witness also produced photographs of Hindus who had received injuries. The names of these Hindus are not on the back, nor is there any description given as to how they received injuries. The Commission therefore has returned these photographs to the witness with the request that the name of every person photographed may be mentioned on the back with the description as to how he met with the injuries.

On page of his written statement, the witness has given the result of the enquiry made by him and by his associates as to the number of persons killed or wounded, and the number of shops and houses looted. The witness stated that the list is correct upto 24th of July, *i. e.* it was based on information which he had collected up to that date.

His statement is very elaborate. The Commission is not in a position to examine the witness orally atonce. Mr. Sharma shall be requested to arrange for the presence of this witness on Wednesday next as the first witness of the day at 10-30 a. m.

Q. What are you President of?

A. I am President of the Sanatan Dharam Youngmen Association.

Q. What is the Association about?

A. The objects, that the Association has in view, are social and religious.

Q. Is it a religious Association?

A. Yes.

Q. Is it a branch of any parent Association in British India or is it a separate Association itself?

A. It is a separate Association by itself.

Q. Who have helped you in preparing this statement?

A. In preparing this statement I have been helped by the members of the Association. As soon as the disturbance occurred, the Association formed a Committee of four men and it is a report of their enquiries.

Q. Who are the four men?

A. I was the Chairman of the Sub-Committee and Pandit Dina Nath Hanjura, B. A., Pandit Damodar Bat, B. A., and Pandit Mohan Kishen, B. A. (Hons.), were members.

Q. What are your Degrees?

A. I am a B. A.

Q. How long have you been President of this Association?

A. I was elected this year, about three months back, by the General Committee.

Q. How long has this Association been in existence?

A. It was sanctioned by His Highness in 1923 or 1924. I do not remember the exact year.

(Sd.) PREM NATH BAZAZ.

Certified that the above statement was read over to the witness and was admitted correct by him.

15th August 1931.

(Sd.) RAM NATH SHARMA,

Secretary Enquiry Commission.

WITNESS No. 39.

Ahmad Sheikh, Fireman, on S. A.

This is my written statement (Ex. 53).

I am on duty at the Maharajganj Fire Brigade Station. From there I started for the Jail on receiving a fire alarm. The fire engine is drawn by hand. There were 7 other fire brigade men with me. We were stopped at Saraf Kadal which is at a short distance from Maharajganj.

Q. Who stopped you?

A. A large crowd of Mohammedans stopped us. The crowd was coming from the Jail. They carried a dead body with them. The Mohammedans were saying that *khalkat* (many people) were killed at the Jail. The crowd stopped us and told us not to go to the Jail. The crowd threw stones at us. I received very slight injury. Gaffar Dar and I ran to the Jail.

Q. Why were you beaten? Did you ask the crowd why beat you?

A. I did not. There was a large crowd and there was no opportunity of asking them. They simply said that *khalkat* had been killed at the Jail. They wanted me to desist from taking the fire engine to the Jail.

Q. When did you see the engine again?

A. When I returned to the Maharajganj Station the fire engine was there. The engine had been damaged by stones. It was not in

working order at the time. The Superintendent put it again in working order.

(Sd.) AHMAD SHEIKH,

Fireman.

Certified that the above statement was read over to the witness and was admitted correct by him.

(Sd.) RAM NATH SHARMA,

27th August 1931. *Secretary Enquiry Commission.*

WITNESS No. 40.

Ghaffar Dar, Fireman, on S. A.

This is my written statement (Ex. 55).

Q. Do you work on the petrol-pump of the engine?

A. Yes.

Q. Why did you run away leaving the engine?

A. To save my life. Mohammedans came in a large crowd with a dead body. They threw stones at me and my companions and also slapped us. The time was about 2-15 or 2-30 p. m.

Q. When you reached the Jail was there a large crowd of Mohammedans?

A. No, there was no crowd there at the time.

Q. Where did you find the engine when you returned from the Jail?

A. At the Fire-Brigade Station at Maharajganj. The engine was out of order when I saw it. The Superintendent put it in order.

Q. How many men were there in the crowd when they attacked you?

A. They were about 250 or 300.

Q. Did you see one dead body or more?

A. I saw only one dead body.

Q. Was the dead body on *charpoy* or was it carried on the shoulders?

A. It was carried on the shoulders on a *charpoy*.

Q. How far is the place where you stopped from Maharajganj?

A. About so far as from here to Amira Kadal (about a furlong or furlong and a half).

(Sd.) GHAFFAR DAR,

Fireman.

Certified that the above statement was read over to the witness and was admitted correct by him.

(Sd.) RAM NATH SHARMA,

27th August 1931. *Secretary Enquiry Commission.*

WITNESS No. 41.

Pt. Prithi Nath Madan, on S. A.

This is my written statement (Ex. 56).

Q. Do you remember what time it was when your car was attacked?

A. Yes, it was after 3-30 p. m. and close on 4 p. m.

Q. How did you know that there were dead bodies on the two *charpoys* carried by the Mohammedans?

A. I cannot tell that there were dead bodies lying on the *charpoys*. I cannot tell whether the bodies of the men on the *charpoys* were alive or dead.

Q. The Chairman desired to know whether car was picked out particularly or whether other Hindus were being attacked at the time?

A. I did not notice any Hindus round about when my car was stopped.

Q. What do you think when you were attacked merely because you were Hindus or as individuals?

A. I think we were attacked because we were Hindus.

Q. There were four or five Mohammedans who saved you by coming forward to your help. Is it your opinion that had these men not offered their help you would have been attacked more severely ?

A. Such is my opinion.

Q. What was the time when you heard about the disturbances at the Jail and in the bazar ?

A. We reached the house which we verified at about 1-45 p. m. when I heard about the disturbances of the Jail and in the bazar.

Q. How far is the place where you went for a visit from Maharajganj ?

A. About a mile from there.

Q. Is the house you went to on the right bank of the river ?

A. Yes.

Q. Are you a local Kashmiri ?

A. Yes.

Q. Can you then describe in a general sort of manner the composition of the crowd that attacked you ?

A. It consisted mostly of *Goondas* but there were also some literate persons in it.

Q. How do you explain that four or five Mohammedans saved you, when you say the crowd was shouting to beat all Hindus ?

A. Those persons in all probability knew us. Of them I recognized only one. They must have recognized the car.

Q. How do you account for the fact that your chauffer who is a Mohammedan, was hit ?

A. I suppose because he was our servant.

Q. I put it to you that you are exaggerating to some extent, as there were in the crowd good men as well as *Goondas* and as the *Goondas* attacked some of the good men came to rescue ?

A. In my opinion there were only four or five men who came to my rescue while all the rest appeared determined for the attack.

Q. You have stated that when the car was attacked by the mob four or five Mohammedans intervened and saved you. How did they save you ? Did they address the mob not to molest you as you all belonged to a good family, or, did they simply come and stand near the car ?

A. These four or five Mohammedans came near the car and saved us from being attacked by the crowd. They did not address the crowd asking them not to molest us.

Q. When you were coming back from the second bridge in your car did you see any house or shop being looted ?

A. I did not see any house or shop being looted but I saw crowds of two or three hundred men standing in some places.

(Sd.) PRITHI NATH MADAN.

Certified that the above statement was read over to the witness and was admitted correct by him.

5th September 1931.

(Sd.) RAM NATH SHARMA,

Secretary Enquiry Commission.

WITNESS No. 42.

Rasool Sheikh, Motor Driver of R. S. Sham Sundar Lal Dhar, on S. A.

This is my statement (Ex. 57).

Q. Can you remember what time it was when you were at Habba Kadal and heard of the disturbances at the Jail and in the city ?

A. I do not keep a watch. I have no idea what time it was. Possibly it may have been 3 or 4 p. m. when I heard of the disturbances at the Jail and in the city.

Q. How many people confronted you at Chattabal ?

A. Was a large crowd. I cannot say how many they were.

Q. Did you see the crowd carrying any one in a *charpoy* ?

A. I did not notice any one.

Q. Where were you hit ?

A. The crowd stopped my car and threw stones on us. It was when I reversed that the crowd threw stones on us and one stone hit me.

Q. Do you know why the crowd attacked you ? What was it that they objected in you or other occupants of the car ?

A. I did not know. It was not the time for asking them why they did so. They came and attacked.

Q. Did you cross the Chattabal bridge when you were attacked ?

A. No. I did not cross the bridge.

Q. After you reversed how did you manage to escape ?

A. The four men who had come to help us advised us to reverse the car and run away. They kept on pursuading the crowd while I escaped, but stones were thrown at the car.

Q. If you had to cross the Chattabal bridge to reach your master's house why did you reverse the car ?

A. I reversed it first and when the crowd left I again turned, and drove across the Chattabal bridge straight on to my master's house.

(Sd.) RASOOL SHEIKH.

Certified that the above statement was read over to the witness and was admitted correct by him.

(Sd.) RAM NATH SHARMA,

5th September 1931.

Secretary Enquiry Commission.

WITNESS No. 43.

Sudarshan, Fireman, on S. A.

This is my written statement (Ex. 58).

Q. Have you come from the hospital to-day ?

A. I was in hospital till 21st Sawan. I am now on leave and have come from home.

Q. What injuries did you receive ?

A. I received four injuries on my head. (The witness showed four scars on his head). I received one stone on my left forearm and one on the right side over the ribs. There is swelling still left. I am also hurt on the right leg. I know only that stones struck me. Possibly I may have been hit by a stick but I do not remember. I fell down on the ground on the spot that is at Kathi Darwaza. I fainted later as I walked towards to Dharamsala.

Q. What was the composition of the crowd ?

A. They were all Mohammedans. There was a large crowd out of which only four or five hundred attacked us.

Q. What have you stated in your written statement about the crowd stopping you and selecting the Hindus from the Muslims was not any Mohammedan Fireman hit ?

A. That is what I mean. The Mohammedans amongst us were not beaten or hit with stones.

Q. Did they say anything when they beat you ?

A. The crowd stopped us and said, "Don't go to the Jail". We were beaten simply because we were going towards the Jail.

Q. How long did you remain in hospital ?

A. I remained in hospital from 29th Har (13th July) to 21st Sawan (10th August).

Q. Did you notice any wounded Mohammedan or the dead body of a Mohammedan along with the crowd ?

A. I did not notice.

Q. How far were you from Rainawari Fire Station when you were stopped ?

A. It must have been after we had gone about one quarter of a mile that we were stopped.

Q. Did you note what time it was ?

A. Time was about 2-15 p. m. when we left the Fire Brigade Station.

Q. How do you know that time ?

A. I had consulted my time-piece at the time when I left the station.

Q. Have you entered the time in any register ?

A. I have entered the time in a register when I left.

(NOTE.—Mr. Sharma will request the Superintendent Fire Brigade to send a copy of this register particularly noticing the time given in that register.)

Q. Who were the Mohammedan firemen with you at the time when you were attacked ?

A. Two firemen namely Sultan Khan and Ahmad Shala were with me.

Q. Were they also attacked by the mob and injured?

A. No.

(Sd.) SUDERSHAN,

Fireman.

Certified that the above statement was read over to the witness and was admitted correct by him.

(Sd.) RAM NATH SHARMA,

27th August 1931. *Secretary Enquiry Commission.*

WITNESS No. 44.

Pt. Balak Ram, Fireman Ranawari Fire Brigade Station, on S. A.

This is my written statement (Ex. 59).

Q. Where were you hit?

A. I received two injuries on my head (there are scars) and one on my chest. I bled profusely.

Q. How long were you in hospital?

A. I remained in hospital for 13 days.

Q. Was the engine damaged or not?

A. I do not know because I went direct to the hospital from the Fire Station.

Q. Who took you from the place where you had taken shelter to the Fire Station?

A. Scout boys.

Q. Who took you to the hospital?

A. The Superintendent took me to the hospital from the Fire Brigade Station.

Q. What time was it when you left the Station for the Jail?

A. We left the Station at about 1-45 p. m.

Q. What do you understand by quarter to two?

A. I mean fifteen minutes past two.

(Sd.) BALAK RAM,

Fireman.

Certified that the above statement was read over to the witness and was admitted correct by him.

(Sd.) RAM NATH SHARMA,

27th August 1931. *Secretary Enquiry Commission.*

WITNESS No. 45.

Pt. Bishember Nath, Fireman, Rainawari Fire Brigade Station, on S. A.

This is my written statement (Ex. 60.)

Q. At what time did you leave the Fire Brigade Station ?

A. About 2-15 p. m.

Q. Why were you beaten ?

A. I think I was beaten because I was a Hindu. The crowd shouted "Who are the Pandits among you and who the Mohammedans". They beat us who were Pandits. First of all I said that we were all Mohammedans but they asked me to take off my turban to discover whether I was a Hindu or a Mohammedan.

Q. How long were you in hospital ?

A. I was in hospital for about five days.

Q. Did the Mohammedans attack you ?

A. Yes.

Q. Was there any dead body or wounded Mohammedan with the crowd ?

A. I did not notice.

Q. Do you know from where the crowd had come ?

A. Some had come from the Jail and some had joined them from the city.

Q. Where were you injured ?

A. On the right arm, on the right shoulder and on the left palm.

(Sd.) BISHEMBAR NATH,

Fireman.

Certified that the above statement was read over to the witness and was admitted correct by him.

(Sd.) RAM NATH SHARMA,

27th August 1931. *Secretary Enquiry Commission.*

WITNESS No. 2 (*recalled*).

Colonel Gandharb Singh, Inspector General Police.

Q. The question and answer of Sudarshan Koul, A. S. P., witness No. 6, at page dated 10th August 1931, was read over to witness and the witness was asked whether he orally directed on 1st Sawan 1988 (16th July 1931) Sudarshan Koul, A. S. P., to suspend searches generally ?

A. No.

Q. Did you ever give him an oral order to suspend searches?

A. No.

Q. This means that the statement of Pt. Sudarshan Koul, A. S. P., on page regarding suspending searches is incorrect?

A. Yes, this statement of Sudarshan Koul is not correct.

Q. Did you at all stop searches anywhere?

A. No. In fact on 4th (19th July) or 5th (20th July) Sawan I went to Vicharnag where it was represented to me that one Ghulam Yahya had given out that the Government had ordered that the searches be stopped and that he had been so informed by the Minister and yet searches were going on. I gave clear orders that searches must continue and that Police must search. If there are any difficulties Military would help but Military is not to effect searches.

On 6th (21st July) or 7th (22nd July) Sawan 1988 I went to Mr. Wakefield and enquired whether he had given any order to stop searches as people were spreading a rumour that such stay was ordered. Mr. Wakefield appeared to be in a temper at the time and he said to me shortly that he had given such an order.

Q. Did you enquire from Sudarshan Koul why he gave such an order?

A. The next day I went to Mr. Wakefield and said to him "Sir, why did you give an order like this for the stay of searches", and he replied that what he meant was that searches should not be made by the Military.

(The witness adds). I cannot remember whether I went again to Mr. Wakefield the next day or the day after the incident which I have described above of his being in a temper and telling me shortly that he had ordered stoppage of searches.

The order of the A. S. P. (Ex. 39) was never brought to my notice. I came to know of the existence of such an order 12 or 14 days after it was passed.

Q. On page of the evidence of the A. S. P. I read out to you a question and answer. What have you to say about it?

Question.—When you had this talk with the I. G. P. did he give you any reason himself or on your enquiry for the suspension of the searches?

Answer.—So far as I remember the words used by him in support of his order were "Hukam hai" (such are the orders).

A. The answer of the A. S. P. is entirely false. I never told him or gave him to understand that by reason of orders received from higher authority I directed him to stop searches.

Q. Recapitulating your evidence at page , the very first question asked by the Committee, you stated that the A. S. P. came to your house in the morning. Are you certain about it because the A. S. P. denies having done so?

A. I am not certain. Very likely I phoned to him. So far as my memory goes I think I talked to him on the phone.

Q. At what place did you phone to him?

A. At his house.

Q. Can you explain why he says that his phone was out of order that morning?

A. This cannot be correct because I distinctly remember having phoned to him at his house.

The statement of the Governor on page was read over to the witness.

Q. Do you know anything about the meeting referred to in this statement ?

A. I cannot remember the date whether it was the 28th of July. I did go to the Governor's office. I do not remember having told him that I had received any anonymous letters informing me that there was an apprehension of the Sangam and Khannabal bridges being set fire to. I remember that either the D. I. G. or S. P. took out the anonymous letters giving warning about the likelihood of the two bridges being set fire to. I agree with the Governor's statement that all four of us went to the house of Mr. Wakefield. First of all it was suggested to Mr. Wakefield that a Military column may be sent. He pointed out that a column was a very large force. So he suggested that a detachment be sent and we agreed. Then anonymous petitions by way of warning as regards the bridges were shown to him. Mr. Wakefield said that he had not such a large force of Military under him that he could depute soldiers at every bridge for watch and ward. He consented, however, to send a patrol, so far as I remember, he phoned atonce to either Brigadier Sutherland or Brigadier Onkar Singh.

Q. Did you press at the time the view that Military guard to watch this bridge was necessary. (The Chairman pointed out that this is the only bridge in the line of communication between Srinagar and Banihal) ?

A. No. I did not press such a point. I cannot remember whether any one else pressed this point to the notice of Mr. Wakefield or not.

(Sd.) GANDHARB SINGH,

Inspector General of Police.

Certified that the above statement was read over to the witness and was admitted correct by him.

(Sd.) RAM NATH SHARMA,

27th August 1931. *Secretary Enquiry Commission.*

WITNESS No. 46.

Kh. Saif-ud-Din, Naib-Tehsildar, on S. A.

14th August 1931.

This is my written statement (Ex. 61).

The Chairman has noticed that the witness is not aware of any of the occurrences of the roits and his statement will be of no use to the Commission. The Secretery informed the Commission that this witness has been summoned to depose to the information he had of Mohammedan meetings prior to the riots. The witness was questioned on this point and he says that he was present only at one meeting at Hazratbal about which evidence has already been obtained.

Q. Were you present at the meeting at Hazratbal ?

A. It was not a regular meeting. The Governor had told me to be present at Hazratbal. The Mohammedans had collected of themselves and the Governor had gone there to explain the situation to them. The people wanted to have 4 Mohammedans who were present there to be turned away. They alleged that these four men were *Gaddars* (traitors). Those four men, the names have already been mentioned by other witnesses, were not removed. Yusaf Shah and Kh. Saad-ud-Din Shawl explained the matter as regards the *Towhin-i-Quran* in Jammu. They explained that the Head-constable had been retired on pension and the Mohammedan constable who had complained had himself admitted that his complaint was not correct. The people shouted " Maharaja Bahadur Zindabad " and dispersed.

Q. Do you think that the Mohammedans present were satisfied with the explanation ?

A. I cannot say. I can give no opinion on the subject.

Q. Do you know anything about other Mohammedan meetings ?

A. No.

Q. Had the Mohammedans collected at Hazratbal of their own accord or was the meeting convened at the instance of the Governor?

A. I am not quite sure. But perhaps Mohammedans had collected there of their own accord.

Q. Where was the Wazir-i-Wazarat of Srinagar on the 13th of July?

A. He was not here. He was out on tour.

Q. When did he return to Srinagar ? Did he return to Srinagar before you left for Uri ?

A. I am not sure when he returned. But I saw him on the 8th Sawan when I left for Uri.

NOTE.—This witness was suggested by the Honourable Revenue Minister.

(Sd.) SAIF-UD-DIN,

Naib-Tehsildar.

15th August 1931.

Certified that the above statement was read over to the witness and was admitted correct by him.

(Sd.) RAM NATH SHARMA,

Secretary Enquiry Commission.

15th August 1931.

WITNESS No. 47.

Dr. Abdul Wahid, on S. A.

14th August 1931.

This is my written statement (Ex. 62).

NOTE.—The diary of the 13th July was at the request of the witness not read over publicly. The Commissioners will read it.

Q. Do you know of any other Mohammedan being attacked by Hindus?

A. Yes. On the 14th of July Dr. Ghulam Ali, S. A. S., was attacked, I have heard, near Alikadal. (NOTE.—Mr. Sharma will request Dr. Ghulam Ali to send his written statement and to appear as a witness). This happened on the 14th of July. I met Master Dost Mohammad Khan of the Technical Institute when I was going to Maharajganj from a patient at Fateh Kadal. He was on a cycle. Then subsequently he came to see me at my house at Amira Kadal and informed me that after he had met me 3 or 4 Hindus had pursued him with the intention of beating him but he had ran away. This happened near Zena Kadal.

After this I remained confined in my bed in my house for 22 or 23 days so it was not possible for me to get information of other assaults on Mohammedans. But I kept hearing that the Mohammedans had been attacked. Doctor Sham Lal, Tuberculosis Specialist, had come to see me at my house after 3 days. He told me that he had saved a Mohammedan from assault by Hindu mob at Ganpatyar. The mob injured his car because he rescued the Mohammedan. He took the Mohammedan in his car and saw him safe somewhere near the parade where he wanted to go. (Mr. Sharma will request Dr. Sham Lal to send his written statement on the subject).

Q. Do you not desire to state your knowledge of the 13th July?

A. No. The matter is sub-judice, there is a charge against me that on that date I incited the mob. Possibly I may relate certain facts when I am to be examined in-camera as regards other matters.

Q. Are you a leader of the local Mohammedans?

A. No. I am not leader but a servant. I am a servant of Mohammedans, Sikhs and Hindus.

Q. If you are not a leader or a prominent member of your community, why should the Hindus have picked you out for attack?

A. I am not a leader but I am a prominent member not only of the Mohammedans but a prominent member among all the citizens of Srinagar. All the respectable Pandit and Mohammedan families know me well; some of them are even my patients. I was a nominated member of the Municipality for four years. I was not attacked because of my personalitly but I believe I was attacked because I was a solitary Mohammedan at the time. The mentality of the Hindu mob in those days was such that they picked out solitary Mohammedans for attack simply because they happened to be Mohammedans.

Q. One can understand an attack on a solitary Mohammedan on the 14th. What was the reason of the destruction of the contents of your shop presumably by the Hindu mob if they had no suspicion as to your complicity on behalf of the Mohammedans?

A. I think the attack on my shop was the result of the same mentality. It is true that on the 13th certain people had published the news that I along with other highly respectable Mohammedans had instigated the mob at Maharajganj.

All the useful measures I introduced in the Municipality during my membership were non-communal and benefitted all equally. So far as I know I have no enemies. I think it was the Hindu mentality of the 13th that the Hindus started suspecting every Mohammedan of complicity. The Hindus were of opinion that the occurrences of the 13th were done by the Mohammedans and so they snspected every Mohammedan merely by the virtue of his being a Mohammedan.

Q. What result do you draw by these stray assaults on individual Mohammedans after the allegation of the Hindus that the Mohammedans had oppressed and attacked them?

A. That shows the mentality of revenge. The Hindus were made to believe that the Mohammedans were the aggressors and that is why they wanted to take revenge on Mohammedans on subsequent days.

Q. Do you not consider that the Mohammedans were the aggressors on the 13th?

A. This question I shall answer in camera. I have a large experience of this Kashmir State. I have been here since 1901. For 14 years I was in State service and for 17 years I have been practising in Srinagar.

Q. Do I take it that you wish to state in camera the causes of the riot and your suggestions as to Hindu-Mohammedan unity in future?

A. Yes.

I may state in public that the changed mentality of the Hindus did not effect only the common people but also respectable men and officials. I am satisfied that the A. S. P. could have saved my tonga, pony and drug bag if he had wished, but he also at that time was suffering from the same mentality and did not make any attempt. Three times the A. D. M. Ch. Bhagat Ram at my request told the A. S. P. to safeguard the pony and the tonga and the drug case.

Q. Were you able to identify the Police constable and the soldier who attacked you along with the mob on the Maharajganj Bazar on the 14th July?

A. As regards the Police constable I was able to have a faint recollection of his number and I will be able to identify him if he is brought before me. I will also try to identify the military soldier who attacked me.

Q. When immediately after the occurrence you were taken to the A. D. M. in Bhagat Sukh Dial Amir Chand's shop did you inform the A. D. M. then and there that you were attacked by a Police constable and a Military soldier along with the Hindu mob?

A. Yes, I told the A. D. M. the whole story then and there.

Q. What is the approximate value of the goods in the shop which was looted on the morning of 14th July?

A. I cannot say definitely but the approximate amount of the loss may be between 2 or 3 thousands of rupees.

(NOTE.—Mr. Sharma will summon the A. D. M. and Colonel Joginder Singh).

Q. Did you report to Colonel Joginder Singh that a Military Sepoy had assaulted you with the butt-end of his rifle?

A. I did not know Colonel Joginder Singh at the time. I caught hold of him. I told him that his men had beaten me. He observed that he had, however, saved me.

Q. Yes, but did you tell Colonel Sahib about the Military Sepoy who struck you?

A. At that time every inch of my body was aching and I was on the point of death. There was, as it were the last spark of life in me. I did tell Colonel Joginder Singh that one of the Sepoys had struck me with the butt-end of his rifle. Although a month has passed since the occurrence took place, the swelling and marks of

the swelling and marks of the wounds on my chest have not yet disappeared.

The witness added that he is still under medical treatment and that there are still marks of injuries visible on his person.

Q. Were you ever admitted as an injured patient in any hospital?

A. I stayed in the hospital for three hours only. (The witness added that Dr. Vosper paid a visit on his house to see how he was faring).

NOTE.—The Commission desired the witness to examine him in camera but he said that he was fatigued and would rather come on some other day. The Commission therefore fixed another day, *i. e.* on Tuesday the 18th August 1931 for recording his evidence in camera.

(Sd.) Dr. ABDUL WAHID.

Certified that the above statement was read over to the witness and was admitted correct by him.

1st September 1931.

(Sd.) RAM NATH SHARMA,
Secretary Enquiry Commission.

WITNESS No. 48.

Pt. Mahadev Ram, Clerk, Office of the Director, Kashmir Valley Food Control.

This is my written statement (Ex. 63).

Q. How far is Gao Kadal from your house?

A. It is only 300 yards from my house, quite close.

Q. When did you go to attend the lecture at Gao Kadal?

A. The time was 9 or 9-30 p. m.

Q. Did you go inside the mosque to hear the lecture?

A. No. I stayed outside. There was a large crowd outside on the bund as well. The speaker stood half in and half out, so that the crowd inside and outside could hear clearly. That is how I heard the lecture while standing outside.

Q. Did you think at that time that the Mohammedans were being excited by those lectures?

A. Yes. I did think from what I heard that the Mohammedans were being excited by the help of their religion. The people were crying "Allah-O-Akbar" and from this I could judge that they were being excited.

Q. Did you think from the demeanour of the crowd and the lecture that Mohammedans were being likely to create some trouble.

A. Yes. I felt that tney would create disturbance on the 13th.

Q. How did you think that something would happen on the 13th and not on the 14th or 15th.

A. All the people as they dispersed kept on saying that all of them would collect at the Jail next day the 13th.

Q. Did you notice any Policeman in the mosque?

A. I cannot tell whether there was any Policeman at the mosque. I was on the other side of the canal and it was dark. There may have been Policemen whom I did not notice. I did not go to the mosque side of the canal. What I saw was from the other side of the canal.

Q. How was your attention attracted to the mosque?

A. I noticed Mohammedans hurrying in that direction just as people hurry to see a fire. I wondered what was on. I therefore was attracted to the mosque.

Q. Is the head of your Department a Sahib, a Hindu or a Mohammedan?

A. He is a Sahib, Captain Wreford by name.

Q. Did you have occasion to speak to Captain Wreford about the disturbance?

A. No. I thought that it would be the business of the C. I. D. to report such a meeting and they must have reported it accordingly to the proper authorities.

Q Did Mr. Wreford attend office on 13th July?

A. Yes.

Q. Where is your house?

A. My house is close to Ganesh Ghat in Mallayar.

Q. How far is Maharajganj from Ganesh Ghat?

A. It is a mile or a mile and a quarter.

Q. Did you know at that time when you went out from office that Hindus were being attacked and looted by Mohammedans?

A. I only heard that loot had taken place in the city. I did not hear of Hindus being beaten.

Q. Why did you not go quietly to your house and conceal yourself there?

A. I left office with the intention of going home. I met the crowd in the way to my house. I went to Maharajganj and Bhuri Kadal after returning from the Thana where I had gone in the company of a Sikh gentleman who presented certain looted property there, and I went to the former places as my relations have shops there and I desired to find out what had happened to them.

Q. Do you know the Police Post at Maharajganj?

A. Yes. It is over a Chemist's shop. When I reached Maharajganj and Bhuri Kadal, the Military was already in occupation and the necessity for the Police no longer existed. I wrote in my statement of the Police standing by and not helping at 3-45 p. m. when I reached Habba Kadal, where I noticed that the Police were not helping but standing by.

Q. Did you tell anybody on the 13th of what you had witnessed at Gao Kadal on 13th of July?

A. Yes. I spoke of it at my house.

Q. With whom did you speak about the meeting of the previous night?

A. I spoke to my Mohallawallas. The names of those Mohallawallas are Tara Chand, Madho Ram and Shambu Nath.

Q. Did you speak about the meeting to anybody in your office in the Shali Stores ?

A. I did not speak to anybody in the office, not even to the Head Clerk. It was not my business.

Q. What time did you leave your office on the 13th of July ?

A. I left my office at 3-45 p. m.

Q. What time did you reach your house after visiting the Thana ?

A. I reached my house between 6 and 7 p. m. after visiting at the Thana.

Q. You have stated above that you were terrified when you left the office. How was it then that instead of going to your house straight you first went to Habba Kadal and then to the Police Station at Shergarhi with the Sikh gentleman and then you went to Bhuri Kadal and Maharajganj Bazar ?

A. I left my office with the intention of going to my house but when I met the Sikh gentleman at Habba Kadal I went with him to the Police Station at Shergarhi and then came to my house which was alright and then I left for Bhuri Kadal and Maharajganj to enquire about the shops of my relatives.

Q. How many shops of your relatives were looted ?

A. Only one shop of my relative was looted at Bhuri Kadal. No shop of my relative was looted in Maharajganj Bazar.

(Sd.) MAHADEV RAM,
Clerk Food Control, Srinagar.

Certified that the above statement was read over to the witness and was admitted correct by him.

14th August 1931.

(Sd.) RAM NATH SHARMA,
Secretary Enquiry Commission.

WITNESS No. 49.

Mr. B. D. Wazir, Telephone Inspector, on S. A.

This is my written statement just read over (Ex. 64).

Q. How do you know that the time was between 2 p. m. and 2-30 p. m. ?

A. I remember that the time was between 2 p. m. and 2-30 p. m. because I reached the Exchange at 2 p. m. and a short time afterward I had been informed of the difficulty in communicating with the Jail.

Q. From the signs you noticed at the spot what was the conclusion to which you arrived ? Did you think that the pole had fallen down by accident and the wires had broken by accident ? Or, did you think that the poles had been broken and the wires cut down by some human agency ?

A. I found that this was done by some human agency.

Q. How did you ascertain that the damage was not due to a storm or such other agency and only to human agency?

A. When the connection was disturbed there was no storm etc.

Q. Did you find the connection interrupted?

A. One telephone wire pole about 800 or 900 feet from the Jail had fallen on the ground. I noticed that the pole had been shaken violently. I guessed this from the disturbance of the earth under the pole. After the pole fell the wire could be easily cut by putting it on a stone and striking it with another. About 700 or 900 feet further away from there where there is a branching line to the Fort in the direction of the Kathi Darwaza the line had already been disconnected. The pole had also been pulled down there.

The communication with the Fort had also been disconnected.

The Leper Asylum Line was also disconnected.

Q. When did you reach the pole which had been pulled down near the Jail?

A. At about 4-45 p. m.

Q. Was there any crowd at the time?

A. There was no crowd but I noticed some crowd in the direction of the Fort and Kathi Darwaza. I heard some noise also.

Q. Did you hear of any attack on the Jail while you were still in the Exchange room of the Telephone?

A. I learnt about the disturbance at the Jail at about 2 p. m. while I was still in the Exchange room. I accidentally enquired from Maharajganj Telephone and I learnt of the disturbance there.

Q. While you were still in the Exchange room what did you hear first whether of the attack at the Jail or of the loot in the Maharajganj Bazar?

A. I learnt of both these incidents about the same time.

Q. Do you know the name of the operator at the telephone exchange who was on duty from 12 noon till 4 p. m. on the 13th of July?

A. I don't know the name but I could find out and let the Commission know.

(The witness has been requested to supply this information to the Secretary of the Commission later on).

(Sd.) B. D. WAZIR,

Telephone Inspector.

Certified that the above statement was read over to the witness and was admitted correct by him.

(Sd.) RAM NATH SHARMA,

1st September 1931. *Secretary Enquiry Commission.*

WITNESS No. 50.

Maqbul Khan, Constable, on S. A.

14th August 1931.

Q. Were you at the Jail on the date of the riot?

A. Yes. I was on duty there on that day.

Q. Did you go out of the Jail compound to arrest some of the mob?

A. Yes.

Q. What direction did you receive to arrest?

A. I understood that I was directed to arrest any one of the crowd whom I can secure.

Q Did you arrest any one?

A. I caught one man and made him over to the C. I. D. Inspector Abdul Karim who took him inside the Jail. After this I came inside the enclosure.

Q. Did you arrest only one man or more than one.

A. I arrested only one man.

Q. When you made the arrest did you make it indiscriminately or did you identify any body before you arrested him?

A. I had directions only to arrest the people who were standing outside the compound and I arrested the man whom I caught hold of.

Q. Was the iron gate attacked?

A. No. 10, 12, 20, 30 or 40 persons went there and the Police turned them out.

Q. Tell me who was the officer who ordered you to arrest?

A. I cannot name any body. There were so many officers.

Q. How many persons were arrested?

A. 8 or 10 inside and about 15 from outside.

Q. Did this happen before the firing?

A. Yes.

Q. Did any of the crowd touch the iron gate before the arrests were made?

A. No. Nobody touched the iron gate.

Q. Who was the Police constable on duty at the iron gate on the 13th of July?

A. He was Qutub Din constable. The Darban and Head-constable were also on duty there. The witness could not mention the name of the Head-constable on duty. The name of the Darban is Ali Shaikh. The witness then added that the name of the Head-constable is Yusuf Shah.

(Sd.) MAQBUL KHAN,
Constable.

Certified that the above statement was read over to the witness and was admitted correct by him.

(Sd.) RAM NATH SHARMA,
Secretary Enquiry Commission.

WITNESS No. 51.

Pandit Dina Nath, Secretary Sanatan Dharam Vidayala, on S. A.

13th August 1931.

This is my written statement (Ex. 65).

Q. At what places did you see that shops were looted?

A. I saw shops looted from Dabagh Mohalla to Maharajganj.

Q. Did you enter any shop inside or you judged from the outside appearance?

A. I did not enter any shop. I gathered that they were looted from the outer signs. The contents were scattered outside and the boards of the shops were broken.

Q. How many shops did you notice in this condition?

A. About 20 shops.

Q. What is your business in life?

A. I am a clerk in the office of the Inspector of Customs. It is situated at Ekka Serai.

I am also Honorary Secretary of a Sanatan Dharam School.

I live at Habba Kadal but go every morning to Hari Parbat, a Hindu religious shirne. I went up on the morning of the 13th but now visits to that place have been stopped. I was returning from that Shrine at 8-30 a. m. when I noticed what I have stated in my written statement about a Mohammedan inciting people to go to the Jail in large numbèrs.

Q. Do you realise the seriousness of the statement you have made with regard to the message through Saad-ud-Din Shawl to Mr. Wakefield and the subsequent conduct of the man who took the message and brought back the reply?

A. Yes.

Q. Did you talk about it to your superior officers on the following day?

A. There was no necessity. I talk to my friends and relatives.

(Sd.) DINA NATH WARIKU,

23rd Bhadon 1988. *Secretary Sanatan Dharam Vidayala.*

Certified that the above statement was read over to the witness and was admitted correct by him.

(Sd.) RAM NATH SHARMA,

1st September 1931. *Secretary Enquiry Commission.*

WITNESS No. 52.

Sher Ahmad Khan, Drill Instructor, Training School, on S. A.

This is my written statement (Ex. 66).

Q. Who was the officer in-charge of you in the lorry when you returned from the Jail?

A. Thakar Mian Singh, Sub-Inspector.

Q. Why did you fire without his order?

A. A storm was blowing at the time. Stones were being thrown at us. There was a large crowd around us. Neither I had the time to think nor my Sub-Inspector. I heard a shot fired, so I fired also without waiting for any order from the Sub-Inspector.

Q. Are these your general instructions that you must not fire without the orders of the officers in-charge?

A. Such are the orders, but I had received the orders of a higher officer the D. S. P. that in case of emergency I should fire and not permit my rifle to be snatched from my hand. I therefore fired. I had no enmity against the crowd. I fired only to disperse the crowd.

Q. Was your rifle caught by the crowd?

A. No, but my rifle was outside. The crowd had surrounded the lorry. The barrel of my rifle was outside as I sat. It was possible for the crowd to catch hold of it. I fired in the air. I wanted to fire in the air in hope of dispersing the crowd and I would have fired at the crowd only if the crowd had not dispersed in spite of my firing in the air.

Q. How many shots did you fire?

A. I fired two shots.

Q. Is your rifle single barrel or double barrel?

A. My rifle is single barrel. I put in another cartridge after firing the first shot.

Q. Who else fired?

A. I cannot tell who else fired, but I heard three or four shots including mine.

Q. Did you make an oral or a written report to Baij Nath, Inspector?

A. I made an oral report?

Q. When you left the Jail did the D. S. P. authorise the Sub-Inspector to fire in case of need or did he authorise each and every constable in the lorry to fire at his own discretion?

A. The order of the S. P. was not meant for the Sub-Inspector alone but it was meant for the whole party including the constables.

Q. You say that shots were fired only in the air; are you quite certain that no shots were fired at the crowd?

A. Yes, I am quite certain, no shots were fired at the crowd.

(Sd.) SHER AHMAD KHAN,
Drill Instructor, Training School.

Certified that the above statement was read over to the witness and was admitted correct by him.

(Sd.) RAM NATH SHARMA,
Secretary Enquiry Commission.

17th August 1931.

WITNESS No. 53.

Th. Hari Singh, First Grade Head Constable, Training School, on S. A.

This is my written statement (Ex. 67).

Q. Who was the officer-in-charge of you when you were returning ?

A. Th. Mian Singh, Sub-Inspector, was in-charge.

Q. Why did you fire without his ordering to do so ?

A. I had received a previous order from a higher officer the D. S. P. to fire in case of emergency.

Q. What was the emergency ?

A. The rioters were throwing stones and had all come near. If we had not fired at the time the crowd would have caught hold of us.

Q. How many men were you in the lorry ?

A. We were 12.

Q. How many were in the crowd ?

A. The crowd consisted of a thousand or 1,200 people.

Q. Did you aim at the crowd or fire in the air ?

A. I fired in the air.

Q. Did you see anyone hit by a shot ?

A. No, the firing was in the air and no one was injured.

Q. Did you report this idcident of firing to any superior officer of yours ?

A. I did not do so myself. Possibly the Sub-Inspector who was in-charge of the lorry may have made a report.

Q. Was not your ammunition counted short at the time ?

A. Yes, I explained the matter to Inspector Baij Nath of the Training School next day. I was ordered to go to Baramulla. I was at Maharajganj. From there I went to the Training School and the Inspector enquired how many cartridges I had. I explained to him that I had one less which I had fired.

Q. Was the lorry in which you started from the Jail a Police lorry or a hired lorry ?

A. It was a hired lorry.

Q. Do you remember the name of the driver and the number of the lorry ?

A. I do not know the name of the driver but he was a Sikh. I do not remember the number of the lorry.

Q. When you left the Jail did the Superintendent of Police authorise the Sub-Inspector in-charge of the party to fire in case of emergency or did he authorise each and every constable in the lorry to fire at his own discretion in case of emergency ?

A. It was not the Sub-Inspector alone who was authorised to fire but each and every constable in the lorry was authorised to fire by the S. P. in case of emergency.

(Sd.) HARI SINGH,

1st Grade Head-constable.

Certified that the above statement was read over to the witness and was admitted correct by him.

(Sd.) RAM NATH SHARMA,

7th September 1931.

Secretary Enquiry Commission.

WITNESS No. 55.

Ali Sheikh Durban, on S. A.

This is my written statement (Ex. 69).

Q. When was the *kunda* broken?

A. Sri Kanth was on duty at the gate. When I took over from him he pointed out that a *kunda* (socket) of the iron gate inside was broken.

Q. Is this a matter prior to the arrival of the Sessions Judge?

A. Yes, so it is.

I took over charge of the gate at 12 noon and the *kunda* had been broken before that.

Q. Was the *kunda* broken before the attack by 20 or 25 persons was made on the iron gate of the Jail?

A. Yes, it was broken before they came and shook the door gate.

Q. How much after the shaking of the iron gate firing started?

A. After the *khalkat* (crowd of people) had gone out of the wooden gate.

(Sd.) ALI SHEIKH,

Durban.

Certified that the above statement was read over to the witness and that it was admitted correct by him.

(Sd.) RAM NATH SHARMA,

14th August 1931.

Secretary Enquiry Commission.

WITNESS No. 56.

Mr. Wakefield, Foreign Minister, on S. A.

This is my written statement (Ex. 70) which has just been read over.

Q. Do you remember the exact time when you got to your office from the Residency on the 13th of July?

A. I cannot remember the exact time. What I remember is that I reached the Residency between 1-30 p. m. and 2 p. m. and I do not think that it could have been after 2-30 p. m. when I went to my office. I believe this would be about the time because at 3 p. m. I actually entered the Jail as I have said in my written statement.

Q. Was there any crowd at the Jail when you arrived there?

A. None.

Q. How far from the Jail did you meet Brigadier Sutherland?

A. At Kathi Darwaza which might be about a quarter of a mile from the Jail.

Q. I understand that he accompanied you?

A. Yes.

Q. Did the Governor come out of the Jail when you reached there?

A. When I heard that the Governor was there I sent for him. So far as I remember he came down from the top roof. So far as I remember all the officials were there. I was long up against the iron gate when the Governor came down. So far as I remember several officers came down.

Q. Can you particularly remember whether the D. I. G. met you outside in the compound or whether he also came out of the iron gate when you sent for the Governor?

A. I cannot say that.

Q. Have you any memory as regards Mr. Thappa?

A. I cannot say about Mr. Thappa. So far as my recollection goes. they all came out in a mass from the Jail. It looked to me as if they were holding a meeting there.

Q. Are you prepared to say positively that the D. I. G. and Mr. Thappa were not outside the iron gate when you reached there?

A. No.

Q. What did you notice about the fire when you reached there?

A. All I saw was that the Fire Brigade officials were standing on the top of the roof while the engine was below.

Q. Was the engine working at the time?

A. They told me that there was a slight fire and that it was extinguished.

Q. Did you see any damage caused by the fire?

A. No. I did not go up on the roof.

Q. Now I wish you to concentrate your mind at the iron gate of the Jail. You made some remarks in your written statement, please repeat what you saw at the iron gate?

A. I was told that when the gate was opened the mob made a rush at it. What I was told was that two staples got loose. I did not see the staples loose but I saw from the outside of the gate that the

staples had moved. That portion of the staples was shining. The staples had recently been rubbed with a chisel.

Q. Who reported to you that the mob had attacked the iron gate?

A. I think it was in the Governor's story. As far as I remember it was the Governor who told me.

Q. At that time did the Governor inform you as to how many Mohammedans had been shot by the Police?

A. Everybody said that they had seen no casualty. I have also written this in my statement.

Q. You say you met two wounded men. Who were these two wounded men you refer to in your statement whether Hindus or Mohammedans.

A. Brigadier Sutherland told me that he had picked up two wounded men.

Q. Whether those men were Mohammedans or Hindus?

A. I cannot tell whether they were Hindus or Mohammedans. Brigadier Sutherland told me he had picked up two wounded men. But I do not remember his telling me whether they were Hindus or Mohammedans. He did say that these men were shot in the thighs.

Q. You say you saw 32 men collected and you questioned one of them.

A. I did not count the men but I was told that the men were 32 and the number looked to be that.

What the one man said was "Nimaz parh rahe the nahaq goli chala diyi" (We were saying our prayers and without any cause we were fired at).

Q. Which is the whole place you mention as being seen by you "littered with stones"?

A. I mean the space between the wooden gate and the iron gate of the Jail.

Q. Did you enquire who had thrown these stones?

A. I was told that the mob had thrown these stones.

Q. When you were at the Jail did you receive any definite information about the loot at Maharajganj?

A. Somebody said that Maharajganj had been looted. I cannot say who told me so and I atonce sent a detachment of Military to Maharajganj. There were many lorries standing at the Jail in which His Highness had ordered despatch of troops to the Jail. I packed up these lorries and sent them atonce to Maharajganj.

Q. Can you recollect whether it was the I. G. P. who told you that Maharajganj had been looted?

A. This may have been but I cannot swear to that. He arrived at the Jail after I did.

Q. Did you send the Infantry to Maharajganj on hearing of the loot before 3 p. m.?

A. I could not swear to that. It may have been slightly before 3 p. m. or slightly after when I heard the clock in the Jail *Deorhi* (porch) chime three.

Q. The Chairman said that he had just heard the witness' written statement and he was not very clear. In your statement you have stated that you heard at the Jail of Maharajganj having been looted.

A. I have said so *vide* page line.

Q. Do you remember whether you received information about the loot at Maharajganj in presence of the District Magistrate, the D. I. G. and the S. P.?

A. I could not swear to that, but I think that all these three officers were standing there when this information about the loot at Maharajganj was communicated to me. The witness added that when he sent the detachment in the State lorries to the Maharajganj Bazar all the three officers referred to above, namely the District Magistrate, the D. I. G. and the S. P. were there.

Q. The Chairman observed that there is no reason why these officers should tell lies on this point. Don't you think that possibly they were in a great state of nerves and may not have understood your order and the reason for which that detachment was sent?

A. They were undoubtedly in a state of nerves and what the Chairman suggests is possible.

Q. As regards the attack on the iron gate do you remember that the Governor actually told you that the two staples had sprung as a result of the pressure made by the mob on the iron gate?

A. Yes.

Q. This question is specifically made to you because the Durban who was on duty at the iron gate on the 13th of July has stated before the Commission that one of the *kundas* of the iron gate had been broken long before the crowd went to the iron gate.

A. I do not know that but I was told that the *kunda* was broken by the pressure of the mob.

Q. Did the Governor tell you that the crowd pressed on the iron gate while he was at the Jail?

A. I cannot tell that.

Q. Was the Governor telling you a connected story or was everyone speaking at the same time?

A. No, I took the Governor aside and asked him. There was great excitement and everybody stepped in; so I took the Governor aside.

Q. Did the Governor when he spoke to you distinguish between what he had heard and what he had actually seen?

A. So far as I can remember the Governor told me a particular story which I have recorded in my written statement. From the manner in which he narrated the story some of the facts he narrated must have happened before he arrived at the Jail.

Q. Did you make any independent enquiry at the time about the incident from the D. I. G. who was present there?

A. No.

Q. How many wounded Policemen did you see at the Jail? Have you any clear memory?

A. So far as I remember about 9 or 10.

Q. You mention one man as having been seriously injured. Was that the only man who was seriously injured ?

A. So far as I could see he was the only man who was seriously injured.

Q. Have you any memory of being told of the rescue of certain prisoners outside the Jail compound ?

A. Yes. I was told of certain prisoners being so rescued as they were being brought from Court to the Jail.

Q. In your written statement you have recorded that the Governor told you that he ordered the Police to make arrests. Can you say who were to be arrested ?

A. The question helps me to refresh my memory. The Governor was very angry because he was of the opinion that the C. I. D. officers present there would not disclose to him who the leaders of the mob were. He then ordered arrests. I am not in a position to say for what reasons these arrests were ordered.

Q. I wish to repeat whether the impression conveyed to your mind at that time was that the C. I. D. officers present stated that they did not identify the people who attacked the iron Jail gate and that the Governor did not believe the statement and was therefore annoyed. He then ordered the arrest of persons who attacked the iron Jail gate.

A. That is what I understood.

Q. Have you any idea where the I. G. P. was all this time ?

A. He appears to have been the last officer who arrived on the scene. He arrived after me.

Q. When you returned to your house from the Residency did you find any note recorded by the I. G. P. or any oral message left by him for your information ?

A. No.

Q. Until you went to the Jail on the 13th July you had absolutely no information that the case of Abdul Qadeer was to be tried in the Jail ?

A. None. I have recorded that in my statement.

Q. Had you any information on the 12th or on the morning of the 13th July that there was to be any disturbance on the 13th ?

A. Absolutely none. The witness added that he was told the story afterwards but not before the 13th.

Q. Do you remember the time when you knew of the intercepted wire to which you refer in your written statement being sent from Srinagar to Jammu on 13th July ?

A. The Home Minister sent it to me. Possibly the time of the receipt of the telegram by me is noted on the telegram.

Q. The Chairman stated that he desired the information with a view to find out whether the witness knew of this intercepted wire prior to his knowledge of the riot or subsequently ?

A. It was subsequently.

Q. We have been told that at the Jail you had put I. G. P. on the duty of arranging for lorries to convey troops to the scenes of the disturbances. Is that the way in which you utilized the services of the I. G. P. ?

A. Now I remember that I had deputed him to go to the Brigadier at Badami Bagh to despatch more troops and told him to commandeer lorries on his way.

Q. Did you think that that was the sort of duty that the I. G. P. should be deputed for?

A. I sent him because he was Military officer himself and he knows Military officers. It is not because, as put by the Chairman, I despised his merit. The Police were out of action at the time and their duty was performed by the Military. There was no telephone wire so it was necessary to send some one personally.

Q. Now we come to Maharajganj. Have you any idea within what time of the loot you got to the place?

A. I believe that I arrived at Maharajganj at about 3-45 or 4 p.m. I cannot tell within what time of the loot I arrived.

Q. Have you any recollection as to any one having told you at the time when the loot had commenced in Maharajgunj?

A. No.

Q. From your wtitten statement I take it that the loot was over when you reached Maharajganj?

A. Yes.

Q. Did you see any Mohammedans loitering about in Maharajganj?

A. No. I saw certain Mohammedans being dragged by the Pandits, Military, Police and others. They looked to be Hanjis. They were dragged up to my car. Sometimes a bundle was brought along and the allegation made that the Mohammedans had stolen the bundle. In some cases I was told that the bundle was taken out of the boats belonging to Mohammedans. I told the persons who brought the Mohammedans, not to beat them but to take them to the Police.

Q. Were you able to find out on that day whether the mob which had collected at the Jail was the same which had looted the Maharajganj Bazar?

A. No. I don't know.

Q. Have you any idea of the number of shops that were looted?

A. I cannot give the exact number, but there was a very large number of shops which had been looted. It was difficult to move along the street in a car by reason of the property thrown out on the road from the shops.

Q. The Chairman particularly wants to know whether there was any Mohammedan at the spot complaining at the time that his shop had been looted?

A. There was no such Mohammedan who may have complained of his shop having been looted. All the complaints which Mohammedans made, were of those Mohammedans who were brought before me and hit on the head or slapped and pushed about. They said that they were merely innocent and were being falsely implicated.

Q. How long did you remain at Maharajganj?

A. About half an hour or 20 minutes.

Q. You have noted in your written statement that there was one Pandit who was bleeding. Do you remember his name?

A. No.

Q. Did you see any other Hindu wounded or having marks of rough handling?

A. There was one man. I think his name is Karam Chand. He had a mark on the inside of his leg.

Q. Are these the only two Hindus whom you saw to have been injured?

A. Yes. There was a howling mob round about and shouting that they had been looted. One man complaining that he had lost property worth a lac of rupees.

Q. Do any of the Punjabis in the Ganj possess fire-arms?

A. I do not know whether any Punjabis have fire-arms. They may have.

Q. Are licenses necessary for the possession of fire-arms in Srinagar?

A. Yes.

Q. How many Mohammedans were killed altogether during the riot?

A. I know of 11 bodies in the Juma Masjid. Brigadier Sutherland saw personally at the time of burial that one came direct to the burial ground. He expressed regret afterwards that he had not uncovered the body and seen whether the man had been wounded or not. That makes 12 and there were other cases of shooting afterwards. So far as I know Dr. Vosper of the Mission Hospital has prepared a list of the persons who died in his hospital from wounds. I got such a statement and have placed it on the official file. That file is with the Police or in the Secretariat.

(NOTE.—Mr. Sharma will please request the Prime Minister to send the file in question to the Commission).

Q. Did you see the 11 bodies at the Juma Masjid?

A. I saw only 10. There were only 10 bodies when I went inside the Juma Masjid, as is given in the written statement, and it was on the evening of the 13th July. The ones that I remember were all hit in front. Of course some bodies were covered up and I did not remove the covering to look where they had been shot. The Commission will get a complete account of the injuries from the report of Dr. Vosper who was requested to go inside the mosque and examine every dead body on the morning of the 14th. He must have seen 10 possibly. That report will show the exact situation of the wounds on the bodies.

(NOTE.—Mr. Sharma will write to Dr. Vosper about the report. The witness however says that this report is also to be found in the same file.)

Q. You were Minister in charge of the Army Department during the roit?

A. Yes.

Q. Has any enquiry been made as to the shooting by the Military?

A. I believe that an enquiry is being made but is being made directly under the Prime Minister's orders.

(NOTE.—Mr. Sharma will request the Prime Minister to send the result of any enquiry held. So far as the Commission know there were

two cases of shooting, one at Vicharnag on the night of the 13th and the other at Nawa`Bazar on the 15th.

(Sd.) G. E. C. WAKEFIELD,

Army and Political Minister.

Certified that the above statement was read over to the witness and was admitted correct by him.

(Sd.) RAM NATH SHARMA,

Secretary Enquiry Commission.

WITNESS No. 57.

Bhagat Karam Chand, Trader, on S. A.

This is my written statement (Ex. 72).

Q. Was any shop inside the Chowk of Maharajganj looted ?

A. No. The shop-keepers there were strong enough to confront the crowd of Mohammedans.

Q. Are you sure that the two men carried on *charpoys* to the shop of Dr. Abdul Wahid were wounded persons or killed ?

A. I am certain that they were wounded.

Q. Did Dr. Abdul Wahid treat these two men ?

A. Yes. I was ten paces away from his shop. I presume that these men were treated there. I did not see actual treatment being done.

Q. How did you ascertain that the time was 2-15 p. m. ?

A. I remember because I had a watch. Possibly the time may have been 2 or 3 minutes more but there could not have been larger difference.

Q. Did you reach the shop of Dr. Deva Kaul ?

A. There is an entrance to the Chowk on that side also. I went to the shop of Dr. Deva Kaul. I actually saw that the constables were up-stairs and the door of the Chowki (out-post) was closed.

(NOTE.—The Commissioners visited the spot. The out-post is situated above the Chemist's shop and is approached by steps from the public road).

Q. How often did you go out from your shop ?

A. I went first of all towards the shop of Dr. Abdul Wahid. On hearing Dr. Abdul Wahid instigating the crowd I came back. I was not stoned at the time.

On my return I heard that the mob had collected below the Police out-post and that a motor car was being smashed at Chuni Lal's shop. I thereupon went there. Stones were thrown at me and I came back. Then I and 10 or 12 other shop-keepers all Hindus went out armed with Lathis and went in the same direction. We went in the shop of Chuni Lal inspite of our being stoned. I was injured. I was hit in several places. I have got a medical certificate with me. I was hit

on the leg, on my arm, and on the back of the head. After this I saw a smashed Motor-car. Chuni Lal's shop had been attacked. He lost only one or two bundles of cloth. He closed his shop and went up. After this I came back to my shop and locked myself in. After 10 or 15 minutes the mob entered the Chowk from all three gates. My shop was open. 10 or 15 men stood outside and confronted the crowd. My shop was not looted.

Q. How many shops were looted in Maharajganj?

A. None was looted inside. About 25 or 30 were looted within Maharajganj circle outside the Gola, which extended from Bhuri Kadal to Ali Kadal. At Bhuri Kadal one cloth merchant's shop and 2 or 3 grocer's shops were looted.

Q. Were those all Hindu shops which were looted or there were Mohammedan shops also?

A. Only Hindu shops were looted, also shops of Pandits. No Mohammedan shop was looted.

Q. The Chairman observed that there were Mohammedan shops in between the Hindu shops. How did they escape?

A. Those shops were closed as soon as the mob arrived and they were not touched.

Q. Do you remember whose shop was particularly looted?

A. Shops of the following merchants were particulary looted: Messrs. Durga Dass at Bhuri Kadal; Messrs. Shiv Dass Mehra; Messrs. Chuni Lal etc., Embroiders; Messrs. Nanak Chand Jagan Nath; Messrs. Tulsi Ram Kesho Dass; Dewan Chand's shop at Ali Kadal. These were the shops which suffered greatest loss.

Q. How many men came along with the *charpoy* carrying wounded men?

A. In my opinion about 20 or 30 men.

Q. How did the mob become so large then?

A. Other Mohammedans came up from Wazapura, Ali Kadal, Sheikh Mohalla and Galladar Bazar and Manjis also came from the boats. They all looted.

Q. How did the mass of Mohammedans understand that Mohammedans were shot at the Jail and there should be a loot?

A. Five or ten minutes before quarter past two, rumours spread in the bazar that firing had taken place in the Jail and that the shops should be closed.

Q. Did the Hindus close their shops?

A. They did not close their shops. I did not close because my house was at the same place. The Mohammedans closed their shops then. This was two or four minutes prior to the time when the two wounded men arrived at the spot.

Q. Who spread the desire that there should be a *hartal*?

A. Their volunteers who went about. They were Mohammedans.

Q. Did other men besides the 20 or 25 men who brought the wounded men from the Jail join from all around?

A. Yes, some arrived from the Jail and others joined from all around.

Q. Whom did you send first telephone message about the distrubance of the bazar and at what time?

A. It was about 10 or 15 minutes after 2-15 p. m. the first message was sent to the Governor and the I. G. P. but the reply was received that they had gone to the Jail.

Q. Had you any information before the 13th of July about the riots and disturbances taking place in Srinagar?

A. It was not known that the disturbances would take place on the 13th of July. But in view of the fact that lectures were going on it was apprehended that some disturbances would take place in Srinagar.

Q. You have stated that at about 2-15 p. m. on 13th July you heard Dr. Abdul Wahid instigating the mob to loot. Had you any suspicion against Dr. Abdul Wahid before that time?

A. No. If we have had suspicion we would have prepared ourselves to meet the mob.

Q. Did you know what happened to the two wounded persons who, you have stated, were being carried on the *Charpoys* by the party who arrived in front of Dr. Abdul Wahid's shop?

A. No. We were in such a state that we did not see.

(Sd.) BHAGAT KARAM CHAND,
Trader.

Certified that the above statement was read over to the witness and was admitted correct by him.

27th August 1931.

(Sd.) RAM NATH SHARMA,
Secretary Enquiry Commission.

WITNESS No. 58.

Karam Chand Arora, Firm Tulsi Ram Keshodas, on S. A.

This is my written statement (Ex. 73).

Q. Are you a cloth-dealer?

A. Yes. I am a wholesale dealer in cloth. I sell cloth to petty shopkeepers that is how my books contained note of cloth worth 90 thousand rupees sold to the shopkeepers. I suffered a loss of about forty thousand in cloth, money, ornaments and also Shawl (Pashmina). I do not sell Pashmina here I send it to Amritsar where I have a shop.

Q. Was your iron-box broken?

A. Yes. (NOTE.—The Commissioners when they went Maharajganj to visit the shop of this witness, they saw a broken iron-box and account-books torn, also saw several wooden-boxes broken).

Q. How is your shop closed?

A. My shop is closed by *Takhtas* (wooden-planks).

Q. Were those wooden planks broken by the rioters?

A. Yes.

Q. How were they broken?

A. They were broken with stones and Lathis.

Q. Was any body killed to your knowledge among the shopkeepers?

A. No. My servant Bishan Joo Pandit has been taken away, possibly he has been killed.

Q. Have you not heard of him yet.

A. No.

Q. Have you traced him in any way, or his body found?

A. No.

Q. How many men had collected to loot?

A. Hundreds of men had collected, wherever eye could see there were men.

Q. Were the looters Hindus or Mohammedans?

A. Mohammedans.

Q. Did you close your shop before the two wounded men arrived at Dr. Abdul Wahid's shop?

A. No. I told my son to close the shop as soon as the two wounded men arrived at Dr. Abdul Wahid's shop.

Q. Did any volunteers come round and tell the Mohammedans to close their shops prior to the arrival of the wounded men?

A. 10 or 15 bare-headed Mohammedans came about five minutes earlier. These Mohammedans kept shouting to Mohammedan shopkeepers to close their shops and observe *hartal*. They cried that there was firing at the Jail and certain Mohammedans had become *shahid*.

Q. Did these Mohammedans ask Hindu shopkeepers to close their shops?

A. No.

Q. Did Mohammmedans shut their shops on receiving this news?

A. Yes. They did shut their shops. The Hindus did not close their shops. The only shop I can see from my shop is a Pandit's shop. He closed his shop and I closed my shop. I do not know whether other Hindus closed their shops or not.

Q. Had you any idea when the loot started?

A. The bare-headed men came at 2-15 p. m. I think that the loot started at about 2-30 or 2-45 p. m.

Q. How long did the loot last?

A. The loot in my shop must have lasted for about half an hour. I give only approximate time. I do not keep a watch.

Q. There is a Police out-post not far from your shop. Did any of the coustables of that out-post arrived while your shop was being looted?

A. No.

Q. Did you notice any Police constable during the riot?

A. No.

Q. When did officers of the Government arrive ?

A. At about 4-30 or 4-45 p. m. but by that time the loot had stopped.

Q. Has any of the property looted from your shop been recovered since ?

A. Goods of the value of about Rs. 1,000 or twelve hundred have since been recovered by the Police and are with the Police.

Q. Were you indebted to anybody on the date of the disturbance ?

A. No. I was not indebted to any body. I had in the iron box jewellery of the value of about Rs. 8,000 which was kept for the marriage of my son at the shop at the time.

Q. Were you able to find out as to whence the crowd which looted the Maharajganj Bazar came ?

A. No. I could not find that out. There were Mohammedans all around and it could not be found out from where they had come. The party which first came to Maharajganj Bazar mentioned the firing at the Jail.

(Sd.) KARAM CHAND.

Certified that the above statement was read over to the witness and was admitted correct by him.

27th August 1931. (Sd.) RAM NATH SHARMA,

Secretary Enquiry Commission.

WITNESS No. 59.

Lala Amir Chand of Maharajganj Bazar, on S. A.

18th August 1931.

This is my writtten statement (Ex. 74).

Q. On what parts of your body were you wounded?

A. I was wounded on the head from which I bled. I received two blows on my left arm one on my left leg. Stones were thrown at me and they hit me.

Q. Is the mark on your head present?

A. The scar is not visible now. I had bled at the time.

Q. Was your shop looted?

A. No.

Q. Were stones thrown at your shops?

A. Yes, many stones were thrown. I had got strong wooden doors. There were marks of stones on those doors.

Q. At what time did the two wounded men arrive in the market?

A. The time was about 2-15 p. m. I saw 10 or 20 men below the shop of Dr. Abdul Wahid. They were all Mohammedans.

Q. Did you see the Police out-post at the time?

A. Yes. I did see. I went there afterwards. I saw Policemen standing on the balcony when I went out of the Chowk from the gate opposite to the Police out-post.

Q. How many Policemen did you see?

A. I noticed two or three men.

(Sd.) AMIR CHAND.

Certified that the above statement was read over to the witness and was admitted correct by him.

27th August 1931. (Sd.) RAM NATH SHARMA,

Secretary Enquiry Commission.

WITNESS No. 60.

Pt. Gopi Nath Handu, Science Master, Mission High School, on S. A.

This is my written statement (Ex. 75) which has just been read over.

Q. Did you receive any injury during the riot?

A. Yes, I was hurt over my ear and cheek and on the leg. I was hit with fists. I was beaten on 20th Sawan. A Mohammedan caught me and put a bag on my shoulder. He pretended that I had stolen the bag and I was taking it away to throw somewhere because searches were being made in the street.

Q. Was any loot committed in your house?

A. No loot was committed in my house but stones were thrown at my house on 13th July.

Q. At what Police out-post did you take shelter with school children?

A. At the Urdu Bazar Police out-post. One Police constable was outside and he told me to take shelter. 5 or 7 constables were seated inside.

Q. What time was it?

A. The time must have been about 3-55 p. m. because my school closed on that day at 3-45 p. m.

Q. Have you been implicated in a charge of theft?

A. Yes.

Q. Who is the complainant?

A. Ahmad Ganai. He is a resident of my street.

Q. How was Pt. Sham Lal injured as you have stated in your written statement?

A. He is employed in the Chief Electrical Engineer's office. He was looted while he was going from his office to his house.

Q. What part in your statement you expect Mr. Eric Biscoe to corroborate?

A. All that happened on the first day.

(Sd.) GOPI NATH HUNDU.

Certified that the above statement was read over to the witness and was admitted correct by him.

19th August 1931. (Sd.) RAM NATH SHARMA,

Secretary Enquiry Commission.

WITNESS No. 38 (*recalled*).

Pandit Prem Nath Bazaz, on S. A.

19th August 1931.

The witness put in photographs of injured persons with details recorded on the back of every photograph. He also put in a complete statement revised up-to-date of unemployed graduates and under-graduates.

The statement pertains to Pandits only and not to Hindus in general. According to the list there are 78 unemployed graduates, 92 under-graduates and 608 of those who have passed Matriculation examination. The witness said, I tried to prepare a list of Mohammedans but I had no time to get the names. So far as my information goes there are not more than 40 unemployed graduates and under-graduates and matriculates out of Mohammedans in Kashmir. The list I have prepared for Hindus does not inclue graduates and under-graduates of the Jammu Province.

Q. Do you know the basis of employment in the State? Are Jammu people employed in Jammu and Kashmiris in Kashmir?

A. So far as I know there are no hard and fast rules on the subject. Generally speaking in the central services men are taken from both the provinces while for provincial services local men are preferred.

Q. You have stated that the Shali Department is entirely run to the benefit of the Mohammedans. What have you to say to the large employment of Pandits in the Shali Department?

A. There are two advantages from the Shali Department. One advantage is to the agriculturists. The agriculturists are all Mohammedans in Kashmir. May I submit that the question of employment is a separate question entirely, and it has nothing to do with the benefit derived by the Mohammedans from Shali Regulations and the management of the Shali Stores. I will deal with the question of employment altogether including the employment in the Shali Stores.

Q. You compare the number of Hindu unemployed graduates and under-graduates with the number of unemployed Mohammedan graduates and under-graduates and base your claim for employment thereon. Why should not the basis be taken to be the population and why should not employment be granted on the basis of the population though of course not in strict proportion thereto?

A. My Association and I stand on the nationalist point of view on the point of employment. We do not desire to go into communalism.

The Chairman said that in his opinion the witness was avoiding the real issue, and that this was shirking the issue and not answering the objection raised that the majority community should have the larger proportion in the services in view of their population.

Q. You mention alleged cases of Muslim officers charged for mismanagement and wrongful dismissal of their employees. Who are they ?

A. I refer to the case of Khan Bahadur Abdul Majid Khan. Specific charges were brought against him by 2 employees of the department, Nizam Din and Pt. Sham Lal Mattoo.

There is a suit pending in Court by these two men against Khan Bahadur Khan Abdul Majid Khan of wrongful dismissal. From the judgment given in the case, the Court is of opinion, that Khan Bahadur was screened by the Government. The Munsiff has decided the suit in favour of the employees and a perusal of the judgment will show that this officer is being screened by Government.

Q. You say about this time a certain Mohammedan Sajada Nishin paid a visit to Srinagar. What time do you refer to ?

A. I refer to a time in the spring of this year sometime between March or April.

Q. When did Mr. Sobhani visit Kashmir ?

A. It is a slip of the pen. It was not last year but the year before last in the middle of summer that Mr. Sobhani visited Kashmir.

Q. You say that batches of volunteers were sent out to the country-side by the Mohammedans. How did you come to know of this?

A. We have got executive members of Association in the villages also and they have reported the matter. They have given their reports orally to the Association. They have submitted no written reports.

Q. Were names of any volunteers mentioned ?

A. No names of the volunteers were given. An executive member of the Association reported that Mr. Ashai went to Ranger (name of a village) and lived in the house of Sultan Dar. He also said that Mr. Ashai spread this movement in the village of Ranger.

Q. How did Mr. Ashai attain his object?

A. By collecting people and speaking to them. His object was to paint the Government black.

Q. What is meant by the reference to timely warning, as you allege, given by moderate Muslim leaders ?

A. This warning was given to the Governor by certain moderate Muslim leaders. It was this year prior to the riots and I was told that Muslim leaders (moderates advised the Governor to take action against the Mohammedans extremiststs.

Q. What is the name of the Sub-Inspector you refer to in your written statement ?

A. The name of the Sub-Inspector is Khem Chand.

This was before he stopped the reciting of the *khutba*. This procession was stopped in Jammu.

Q. Do you know the exact time ?

A. No.

Q. When was this meeting held ?

A. This meeting was held about a month before the roit.

Q. You say that most of these meetings were attended to by Muslim servants of the State. Who are those Muslim?

A. I have mentioned them in the following sentence:—

> Government School Teacher S. M. Abdulla, M. Sc., who had not left the Government Service at the time. Mr. Abdul Rahim was the Government stipendiary.

Q. What is the name of Government stipendiary?

A. His name is Abdul Rahim. He was getting scholarship for Law Examination.

Ghulam Nabi is the Government student of S. P. College.

Q. What have you to say about Mr. S. M. Abdulla resigning his service?

A. He might have received some punishment.

Q. What other punishment could have been inflicted on him?

A. He ought to have been punished before he resigned Government service.

Q. Was this Government stipendiary drawing scholarship at the time?

A. I think so.

Q. Do you think that no punishment was inflicted on him?

A. Yes, no punishment was inflicted on him.

Q. Who are these Muslim officials who, you allege, took part in secret meetings?

A. I do not know the names myself, but one of the members of my Association attended those meetings. I can get the names from him.

Q. Do you know the names of these C. I. D. men?

A. The same executive member of my Association will supply these names.

(*Murder of Kashmiri Pandit girl*).

Q. How do you know that this act was committed by a Mohammedan?

A. I have not stated that a Mohammedan committed this act.

Q. What conclusion you draw from it?

A. What I desire to point out is that the Hindus, under the gruesome circumstances of the case, were fully entitled to take out procession to express sympathy with the relations of the girl in such a wicked act and the procession ought not to have been prevented by the Government.

Q. Do you not think that such a procession would have given rise to conflict on the way?

A. I do not believe that there would have been any trouble with Mohammedans on the way of the procession.

(*About the breaking of an idol in the Temple*).

Q. Was any legal action taken in this matter?

A. Yes, there has been a case in Court.

Q. If there has been a case in Court and the matter has become sub-judice, what more do you expect from the Government ?

A. I do not blame the Government for not taking action after the event. But I blame the Government for permitting inflammatory speeches which led to this act.

Q. Was the legal action taken after a resolution was passed by the Sanatan Dharam Sabha ?

A. So far as I remember, such was the case.

Q. What proof have you that these threats, which you allege, were held out by the Mohammedans at Hazratbal ?

A. One Premnath Kanna was present when these speeches were made and he has shown the Society copies of these speeches.

Q. Is Premnath Kanna shorthand-writer in the Vernacular ?

A. No.

Q. Is he in the service of the C. I. D. ?

A. No.

Q. If he is not acquainted with shorthand, how can he vouch about the accuracy of his record ?

A. He could easily record in longhand the important sentences uttered by the speakers.

(NOTE.—In the opinion of the Chairman in these cases great difficulty is that properly instructed shorthand-writers in Vernacular have not been employed either by the Government or by any private agency to vouch for the accuracy of speeches recorded and thereby give satisfactory proof in a Court of Law of the wordings of the speeches).

It could be gathered that the speeches were inflammatory.

Q. Inflammatory against whom ?

A. Against both the Government and the Hindus.

Q. How can you make out that the crowd which assembled at the Jail did not got excited after the shooting and the excited crowd suddenly committed loot ?

A. There are reasons for this. Wherever I and my associates went at Maharajganj, Chhattabal, Vicharnag, Ali Kadal, Sahi Yar and Bud Gate we received the same information that the loot started between 2 p. m. and 2-30 p. m.

Q. Even so your syllogism would not be correct. It may quite possibly be that the rioters inflamed at the Jail spread about everywhere at about the same time and started looting with the help of the local Mohammedans wherever these rioters went ?

A. All the evidence collected at Vicharnag show that the men who looted did not come from Srinagar side but they came from Sora.

Q. Was it not possible for Sora villagers to have been present in the riot at the Jail?

A. What I mean is that there will be the difference of direction. Even if Sora men went to the Jail to join the mob there they would go to Vicharnag from the direction of Srinagar and not from the direction of Sora. The evidence is that men who looted Vicharnag came from the direction of Sora.

Q. Who has given such evidence before your Association ?

A. Bhaskar Nath, B. A., was present at Vicharnag and he actually saw that mob coming from Sora. Madhusudan Khar is another man who saw this. Kailash Bat is a third person.

(NOTE.—Mr. Sharma will obtain addresses of these three men from the witness and summon them).

The second reason why I say that the rebellion was pre-arranged is that the witnesses had deposed before the Association that those who looted were already present at the locality previously. These men were inflamed more when the rioters from the Jail arrived at those places.

Q. Are you sure that according to your evidence no one had arrived from the Jail before the looting started in any paritcular locality?

A. I admit that in Bhuri Kadal loot started after the rioters arrived from the Jail there. About Maharajganj I have not come to any definite conclusion. Either view may be possible but I feel certain that at Chhattabal, Ali Kadal, Vicharnag and Safa Kadal the loot started before any of Mohammedans arrived from the Jail.

Q. What is the evidence?

A. The evidence is to the effect that messengers had come on foot and bicycles as early as noon—that is certainly prior to the firing at the Jail to advise the Mohammedans to shut their shops.

Q. Who are the witnesses?

A. Those who have been looted would be the witnesses. I can give the list of witnesses to the Secretary.

Q. Who are the two Hindus you allege to have been killed by assaults?

A. Their names are given in the list page of appendix I Pandit Krishan Ji Munshi and Balak Ram petition-writer at page of the same list item 135.

I have already told you about the policy of my Association which stands for nationalism.

Q. Is not nationalism compatible with equal justice to all communities?

A. I do not think that the interest of communities should be preserved at the sacrifice of efficiency.

Q. What do you mean by "efficiency"? Efficiency in the abstract or comparative efficiency for that particular post?

A. Yes, I do not agree with the view that comparative efficiency for the post should be considered. Efficiency in the abstract should be considered.

NOTE.—This answer was given when the Chairman suggested a concrete case as two applications for a vacancy for Rs. 30 where the efficiency of a matriculate would be quite sufficient and a Hindu M. A. applied and a Mohammedan Matriculate. The Chairman suggested that in such a case the efficiency should be considered to be equal. The witness argued to the contrary and claimed that efficiency in the abstract of the better educated man should be taken into account even in such a case.

Q. What you say of the meeting at Gao Kadal had interested the Chairman but he has so far failed to obtain any evidence about this parti-

cular meeting held on the night of the 12th of July. Yours is also a vague statement. Would you clear up the matter?

A. It is the same meeting at Maisuma mosque. Two members of my Association were present at the meeting. These were deputed at the last moment. I saw crowds going in that direction so I directed them to go and see what was up and they arrived at the mosque when the speeches were half through. They could not go close and they heard only a little of what was said from a distance.

Q. Then how do you conjecture that any message was fomented at that meeting?

A. From what little the member of the Association heard Pandit Vishna Joo was drowned.

Q. Did anybody identify his dead body?

A. His dead body was not found, but there is a witness who saw him being drowned.

Q. Have the dead bodies of the two men killed been found?

A. Yes.

Q. Have you any idea about the missing servant of a shop-keeper at Maharajganj?

A. He is Vishna Joo.

Q. You have given lists (App. I and App. II) of persons wounded and shops and houses looted. How did you obtain that information?

A. We made enquiries street by street.

Q. You say at page that not a single instance of a Muslim-shop having suffered is known. Did you make detailed enquiry in this matter?

A. We did not go from one Muslim shop to another. Muslim shops were all closed. I have based this assertion of mine on the fact that every looted shop visited was found to belong to a Hindu and no looted shop that we did see belonged to a Mohammedan.

Q. Is "Sovroo" the same village to which you gave reference above as the one place from which Mohammedans swarmed into Vicharnag to loot?

A. Yes.

Q. On page you have stated in paragraph 28 about the middle that the Mohammedans if they suffered at all suffered as a result of the skirmishes with the Police or the Military and that they did not suffer at all at the hands of Hindus. We have evidence of one Abdul Wahid that he was attacked on the 14th by a Hindu mob.

A. The alleged attack of Abdul Wahid has not come to my knowledge. I cannot say anything about it.

Q. On page you say that not a single Policeman came to the rescue of the Hindus. What authority have you for this statement?

A. I and my associates questioned every shopkeeper who was looted and they stated that not a single Policeman helped.

Q. What did these men say? Did they say that the Policemen stood by and did not help or did they say that they did not catch sight of any Policeman at all?

A. They all said that no Policemen was seen at the time. We were also told that some shop-keepers went and knocked at the door

of the Maharajganj Police out-post which was locked from inside but there was no response.

Q. Who were these constables, Mohammedans or Hindus?

A. I have been informed that most of them were Mohammedan constables. Some were Hindus.

Q. In view of this incident at Maharajganj when you say that Policemen locked themselves up for safety, would you not suggest that persons with greater courage in other parts of His Highness' State might be employed at such posts? (Meaning not Pandits).

A. No, these persons should be trained.

Q. How will you infuse courage at a time of trouble by training?

A. This can be infused by training.

(NOTE.—Mr. Sharma will write to the I. G. P. to send the result of enquiry, if any made, as regards the conduct of the Police at Maharajganj out-post on the day of the riot. If no such enquiry has been made a copy of the diary of that out-post shall be sent together with a list of the constables with names who happened to be present at the out-post at the time of the riot. A list with names shall also be sent of the constables, Head-constables, and Sub-Inspectors deputed there ordinarily).

Q. Is it your opinion that training can turn the nature of a man; a quill driver according to you can be turned into a fighter?

A. Yes, that is my opinion.

Q. I put it to you that the Infantry regiment arrived at the Jail and Maharajganj in remarkably quick time. Why do you think that there was delay in their arrival?

A. I do not agree. If there had been any promptness the Infantry would have arrived before the Body-Guard Cavalry but it did not. The Army Minister had information earlier.

Q. Mr. Wakefield stated that he got the information late on his going to his office from the Residency. Your statement therefore that the Army Minister had early information is not correct?

A. I think that the Army Minister had early information because Bhagat Kishen Chand told us that he had informed the Army Minister early over the phone.

Q. It is put to you that the statement that Mr. Wakefield went round certain affected parts of the city with Mr. Saad-ud-Din Shawl is based on incorrect information. Mr. Wakefield has definitely told us that never to his knowledge Mr. Saad-ud-Din Shawl had a seat in his car at any time.

A. I did not see Mr. Saad-ud-Din Shawl in Mr. Wakefield's Car myself. I therefore do not press this point.

Q. Further on in the paragraph you say that Mr. Wakefield did not visit Vicharnag. He has definitely stated before us on oath that he went to Vicharnag in the company of Brigadier Sutherland.

A. Possibly there may have been a misunderstanding of locality. He did go to Nowshehra where the shops were looted. In Vicharnag there are no shops. Only houses were looted.

Q. Is it Vicharnag or Nowshehra where there is a *chinar* right in the middle of the road?

A. There is only one little shop near the *chinar* trees and no other shops.

Q. Do you not think it possible that Mr. Wakefield did not purposely avoid going to Vicharnag if he did not go there?

A. There is evidence that people wanted him to visit the houses at Vicharnag but he did not go to see them and drove away. Also an officer of his position must have known that there were houses also which were looted.

Q, Are you quite certain that Mr. Wakefield never went to see the looted houses at Vicharnag ?

A. I am quite certain. He never went there.

Q. What you say may be correct that the authorities should have anticipated trouble in other places when there was trouble in Jail, but you know that practically all the executive officers were locked up in the Jail ?

A. That is the business of the Government to enquire about. Such a contingency of all officers being locked up should not have arisen.

Q. "We challenge any Muslim to prove that any Muslim shop was looted". Such is your statement but to whom is the challenge to be thrown ?

A. I would have given the same challenge if the Muslims had been present and interested themselves. The clear conclusion that the Commission should draw from a challenge like this not being taken up is not that it is one that can be taken up but that there is no possibility of proof that any Muslim house or shop was looted.

Q. At page you mention certain matters which in the opinion of the Chairman except with the exception of the crowd asking for their own Sultan as alleged by you are mere propaganda ; why did you not have counter propaganda on behalf of the Hindus ?

A. The Hindus are law abiding people.

Q. In your opinion Hindus do not indulge in propaganda in British India ?

A. They do, but it was the belief of the Hindus here that the Government will be greatly embarrassed if the Hindus started counter-propaganda and started processions and cries just as the Mohammedans did.

The witness further added, "I spoke to a high officer of Government (Thakur Kartar Singh Ji, State Secretary) that the Hindus would bring out processions" but he dissuaded me saying that the Government would then be greatly embarrassed. I agreed with him.

Q. Was not your agreement due to a certain amount of physical fear ?

A. No. I had no such fear. I can assemble at this moment 20,000 Kashmiri Pandits in the city.

Q. Can you give me the name of a single Kashmiri Pandit who struck a Mohammedan during the riot ?

A. No.

Q. The Chairman said, " You object to Government parleying with the very men who were directly responsible for the riots. Do not you think that it is the duty of the Government, even after, as you say, a rebellion by a large portion of its subjects, to consider the grievances of

the community, their point of view and the measures which would satisfy that community ultimately you will have to agree that force is not a remedy which can be used perpetually ?

A. My opinion is that parleying should be with the saner elements of the community.

Q. What would you say when the saner elements of the community by which I suppose you mean elderly people, have lost all influence over the people ? I take the example of other Hindus. We are listening to you, a very young gentleman, putting forward the case of Hindus and it is not an elderly bearded gentleman who comes up to represent the case. It must be accepted as a fact now that power has largely passed into the hands of young men ?

A. Even so I do not think that such parleying with the agitators was indispensable.

Q. Then what would you have recommended ?

A. All elderly people have not lost influence. There are the two Mir Waizes.

The Chairman expressed his opinion that the conditions now are such that the Mir Waizes run after Mr. Abdulla, M. Sc., and as such are not really leaders. To this observation the answer of the witness was that this was due to the action of the Government in giving great prominence to young agitators and thereby reducing the influence of the elderly people naturally.

Q. Have you based this opinion on statistics as regards the rural condition of the Mohammedan tenantry that at this time of the general economic depression the general price of food-stuffs is high in Kashmir ?

A. Yes. By reason of the Shali protection afforded by the Government the price of rice is kept on high level thereby helping the Mohammedan agriculturists at the expense of Hindu town-dwellers.

Q. The Chairman's view does not agree with yours that it is only for spare time labouring in winter that the labourer goes out of Kashmir. He is forced to go by the exigencies of the winter as he is not able to earn anything during the winter months and has to sit idle. Do not you think that is a grievance ?

A. It may be general grievance but for that an application should be made to the Government in a proper manner. I, however, think that it is not absolutely compulsory that a labourer should leave his home, but as he is attracted by the prospect of better wages he goes. Further it is my opinion that more people go outside for labour not by reason of greater economic difficulty but by reason of better facilities of communication and travel.

Q. You have not made a list of Muslims with University qualifications. How can you say that there are only a dozen or two of Muslims with University qualifications who are not employed ?

A. I modify this statement and say that there may be 40 or 50 at the most. It is true I have not prepared a list of names but I have made some sort of enquiry and I think my present statement is correct.

Q. You put the maximum limit of unemployed Mohammedans at 40 or 50 ? Are you quite sure that the number does not go up to hundreds or thousands ?

A. Yes.

Q. You have claimed 'a fair field and no favour' as regards the employment in Government service. The Chairman is not of opinion

that he can agree with you. You yourself say that the Mohammedans are comparatively at a very low level of education and if only efficiency is looked at for half a century to come even if the Mohammedan start getting educated at once, there would be no Mohammedan employment in the State. Do you not think that it is the duty of the Government, under the circumstances, to favour the less educated community just as in cases of minority whose interests, you say, must be secured ?

A. I do not agree with that opinion. The efficiency of the State service must first be kept in mind. It was the fault of the Mohammedans that they lagged behind in the field of education.

Q. You give an illustrative list of cases where Muslims have been given preference over Hindus in the Government service. What have you to say to counter this? A complaint of the Mohammedans that when Cabinet was selected here there was no Mohammedan Member ?

A. I cannot say. That is the look out of the Government.

Q. You quoted a glaring example of newly qualified Mohammedans being appointed as Munsiffs in preference to old qualified Hindus already enrolled on the sanctioned list of Munsiffs. Do you know that there were only three Mohammedan Judicial officers, when these men were appointed ?

A. I know that.

Q. After this information do you still think such an action of the Government a notorious fact ?

A. Certainly. It has been the contention of the Association all along that efficiency should not suffer for communal purposes.

The Chairman thanks the witness for putting up such a detailed report for the information of the Committee.

The witness added a desire to make a statement as regards a complaint made by Mr. Abdullah Vakil in his cross-examination before the Committee. He stated that there should be more Mohammedans employed as teachers. In my opinion, more Mohammedans are not available. At Islamia School at Anantnag, the Headmaster and some of the other teachers are Hindus. In other Islamia Schools in Srinagar also there are Hindu teachers. This fact shows that Mohammedan teachers of necessary qualifications are not available. This is a necessity to which the Mohammedans are put by reason of want of education in the community.

Almost all the Mohammedan traders employ Hindus to keep their accounts.

I desire to state not out of pride but merely by way of information that the Association of which I am a Supervisor runs private schools. I have also resigned Government service and have given my services to the Trust for public benefit. My Association maintains three Mohammedan girls schools where Mohammedan religious education is given.

Q. Which are those three schools, which you say, are for the benefit of the Mohammedans ?

A. These are Mohammedan School, Islamia School and the Muslim School. They are all situated in Srinagar and are maintained by Kashmiri Pandits.

Q. Do you know the number of roll in these schools ?

A. The number on the roll of these schools is about 210.

I add that more Mohammedan girls attend to these private schools of my Association than they go to Government schools.

Q. Were all these three schools referred to by you started after the riots?

A. No. They were started three years back.

I also find great difficulty in finding Mohammedan teachers of sufficient qualifications for these three Mohammedan schools where all male teachers are employed and do not expect to get female teachers. Even so we have great difficulty in finding these Mohammedan teachers. That is also one reason why it is not possible to expand these schools.

Q. You say that not a single Muslim leader was seen coming forward to save or console the Hindus. Against this the Chairman says that there has been an instance of certain Mohammedans saving Pandit Sham Sunder Lal Dar from attack?

A. I have heard of that incident. That is a different question. I have recognized this help in the next sentence. What I mean by the last but one sentence of that para : is that no prominent leader came forward to save or console the Hindus.

Q. Are Government servants also members of your Association?

A. Yes.

Q. Are any members of your Association employed in the C. I. D. or Police Departments?

A. Not to my knowledge.

Q. Do you ever get copies of C. I. D. reports or any other confidential Government records from your members who are employed in the Police or C. I. D.?

A. No. We do not get such records.

Q. In paragraph 11 of your note you refer to B. H. P. D. club. Do you know the significance of these words?

A. No. I have myself seen badges with those initals.

Q. You have referred to certain political activities of the Mohammedans in paragraphs 11, 12 and 13 of your note. Did you come to know the existence of these activities just at the time when they took place or at any subsequent time for instance at the time when this note was being written up?

A. I knew of the existence of some of these activities before the riots and of some of them after the riots. I came to know about some of the activities because my connection with certain young Mohammedans is of a very intimate nature.

Q. Were you present in any of the meetings referred to in these paragraphs?

A. I was present at the meeting at Khanqah-i-Mowalla and my associates were present at the other meetings.

Q. As regards the Lathi charge alleged to have been made on the funeral procession referred to on page of the note, do you know the name of the Magistrate who was present at the time and under whose orders the Lathi charge was made on the funeral procession?

A. The Magistrate was Pandit Satya Lal, City Magistrate. The witness added that the Lathi charge was made thrice. He himself happened to present at the time when all the three Lathi charges were made.

Q. What reason Pandit Satya Lal, who himself happened to be a Kashmiri Pandit had to order a Lathi charge on the funeral procession in which the mourners were Kashmiri Pandits themselves ?

A. I do not know what the exact reason for the Lathi charge being ordered by the City Magistrate P. Satya Lal.

NOTE.—The Chairman stated that from his knowledge he could say a route that was marked out for the procession and the processionists desired to go at different way. The procession was not permitted to do so. Possibly there was Lathi charge to prevent the procession taking the route not chalked out by the authorities.

Q. Do you know the name of the senior Police officer who was present at the time of the Lathi charge on the funeral procession was made ?

A. At the first Lathi charge the Police officer in-charge was Pt. Sudarshan Koul, A.S. P., and at the time of the other two Lathi charges the D. I. G. Police Sh. Aziz Din himself was present.

Q. You have stated that the loot in all the places in Srinagar started between 2-15 p. m. and 2-30 p. m. on the 13th of July. Were you able to find out the exact time on the very date the 13th of July that the looting at all the places in Srinagar started between 2-15 p. m. and 2-30 p. m. or did you know the time about the loot at all these places at some subsequent date ?

A. Yes. At Bhuri Kadal, Maharajganj, Ali Kadal, Safa Kadal and Bud Gate I and my associates went the same day. We went to all these places between 5 p. m. and 5-30 p. m. but to Vicharnag we went after 3 or 4 days. The witness added that he meant to say that at the places, which he had mentioned above barring Vicharnag, he learnt the very day that is 13th July that the loot at those places started between 2-15 and 2-30 p. m.

Q. Is it not a fact that the loot at Vicharnag started at 4-30 p. m.?

A. The loot at Vicharnag proper started at about 4-15 p. m. or 4-30 p. m. on 13th July. But the loot at Vicharnag was merely a continuation of the loot at Nowshehra which is only about a quarter of a mile from Vicharnag and the loot at Nowshehra started, as I have already stated, between 2-15 p. m. and 2-30 p. m.

Q. Do you know the place where P. Sham Sundar Lal lives ? The question was again repeated and the witness was asked to state if he knew that Pandit Sham Sundar Lal lived in Safa Kadal ?

A. Yes.

Q. Pandit Sham Sundar Lal had stated in his statement before the Commission that only one shop was looted in his Mohalla that is Safa Kadal and he actually saw that shop being looted at about 4-30 p. m. when he was coming back from office. In the face of this statement how could you say that the loot at Safa Kadal also started between 2-15 p. m. and 2-30 p. m. ?

A. It is possible that the shop situated in Safa Kadal referred to above might have first been looted between 2-15 and 2-30 p. m. and the persons who looted might have come back again to that very shop to loot it again at about 4-30 p. m. when P. Sham Sundar Lal saw the shop being looted.

Q. At page of your note you have stated that the District Magistrate paid a visit to Vicharnag only 8 days after the loot. What do you mean by this ? Do you impute any sort of motive to the District Magistrate for his going to Vicharnag 8 days after the loot as you have done in the case of Mr. Wakefield ?

A. I do not impute any motive to the District Magistrate. But I consider that District Magistrate failed in his duty by not going to Vicharnag for 8 days.

Q. It is also stated on page that allegations have been made against the A. S. P. at Maharajganj who is said to have refused to entertain complaints. Do you know the name of this A. S. P.?

A. Yes. The name of the A. S. P. is Pt. Sudarshan Koul.

Q. Then what reason he had to refuse to take action on complaints?

A. The reason may be best known to the A. S. P. himself. I do not know.

Q. In any case you do not impute any motive to Pandit Sudarshan Koul, A. S. P., for not performing his legitimate duties?

A. I do not impute any motive but I maintain that Pt. Sudarshan Koul also failed to perform his duty.

Q. You have stated on page of your note that even the European community at present in Srinagar swallowed false news with their luncheon and tea served by their Muslim Khansamas. What is the source of your information in regard to this point?

A. I received private information that the members of the European community in Srinagar were not furnished correct information about the disturbances in Srinagar and that their Muslim employees gave them false news.

Q. Do you know of any specific instance?

A. No.

(Sd.) PREM NATH BAZAZ,

PRESIDENT,

Sanatan Dharm Youngmen's Association.

Certified that the above statement was read over to the witness and was admitted correct by him.

(Sd.) RAM NATH SHARMA,

15th September 1931. *Secretary Enquiry Commission.*

WITNESS No. 61.

Jamadar Ratan Singh, on S. A.

This is my written statement (Ex. 76).

Q. To what date does this relate?

A. This relates to 30th of Har (14th July). I was posted to Vicharnag at about 9 p. m. on 13th July. I left with 11 men from Maharajganj in lorry. I was in command of the 11 men. There were 10 sepoys there before I arrived under the command of Naik Faqiru. The loot was over at the time and we patrolled the locality. At about 10 a. m. on the 14th I heard a noise in Bazar Vicharnag. I do not know any other name of Bazar Vicharnag. 12 men were sent under Naik

Faqiru to the bazar. A runner came from there and informed me that this patrol was attacked by a multitude. I went to the spot with the runner who had come to inform me. The Military men were surrounded and stones were being thrown on them. None of the Sepoys had been injured. I advanced my men. The crowd dispersed. The bazar was full of men. I could not say how many they were. We advanced and the crowd dispersed. I arrested six. I deputed two Sepoys to take the six arrested men to where my picket was and with the rest of the Sepoys I went towards the noise in another direction. When we got down the crowd started running. We pursued them but they escaped. We heard a noise after this to the east of Vicharnag. I then took the Sepoys in a lorry to my camp. I sent Naik Faqiru and 8 Sepoys in the direction of the noise giving them orders to disperse the crowd and to save the village from depredation. I also promised to join him after I had taken action as regards the arrested persons. After a short time I joined Naik Faqiru with 4 more Sepoys. About a thousand men had surrounded the Sepoys. I discovered that the rifles of all the sepoys were caught by the people. I shouted to the crowd to disperse and leave the Sepoys otherwise they would be fired at. There was no impression made on them. The crowd did not let go the Sepoys or the rifles. I thereupon ordered the 4 Sepoys who had accompanied me, to fire high in the air over the heads of the crowd. The crowd did not disperse nor leave the other Sepoys. As no impression was made by the first firing I ordered the 4 men with me and also the 8 men of the other section to fire one round each. All the 4 Sepoys with me fired and out of the 9 including the Naik 5 could fire. The others were not able to fire because of their position.

The Sepoy with me fired high. The five men of the other detachment could not take aim. They fired as they could. I noticed one man falling a short distance away as the crowd ran. The crowd then ran away. I did not see the wounded man again. He disappeared with the crowd. I do not know whether the man who looked like falling down, was wounded or not. I do not know whether any one was killed by the fire or not. I have no knowledge at all.

Q. Do you know at all whether the man was killed or not?

A. I do not know.

Q. Was there any other firing besides the one you have mentioned?

A. My party did not do any other firing. Nor do I know of any other party who did any firing at Vicharnag besides us.

Q. When did Brigadier Sutherland and Mr. Wakefield go to Vicharnag?

A. They did not visit in my presence.

Q. For how many days did your party stay in Vicharnag?

A. I went there on 29th Har at 9 a. m. and came back on the 31st Har.

Q. Were no house searches made by your party during this period?

A. No.

Q. Were no houses searched by the Police with your assistance?

A. No.

Q. Did Colonel Sutherland make any enquiry in regard to the firing by your party at Vicharnag?

A. No. I do not remember of any such enquiry having been made at Vicharnag. The witness added that after two or three days of the

firing, Brigadier Sutherland and Mr. Wakefield recorded their statement at Ramnivas.

(Sd.) RATTAN SINGH,
Jamadar.

Certified that the above statement was read over to the witness and was admitted correct by him.

(Sd.) RAM NATH SHARMA,
Secretary Enquiry Commission.

21st August 1931.

WITNESS No. 62.

Lance Naik Shyam Singh, on S. A.

This is my written statement (Ex. 77).

Q. What was the date of this occurrence?

A. It is an occurrence of the very date of the riot (13th July). I had a patrol of 4. There were three Sepoys with me. We were posted on this side of Duma Kakal. Captain Gouri Dutt was in command and he had posted us there. We were standing there. While we were standing people collected on the other side of the bridge. Time was about 10 p. m.

Q. What did you do then?

A. I shouted to the crowd to disperse as the order was that there should be no collection of men. They did not disperse. More men collected. They started throwing stones at us and further advanced towards us across the bridge. The crowd suddenly made a rush and caught hold of the rifle of Tara Chand Sepoy. The rifle of another Sepoy who was to the left was also caught. I ordered the Sepoys to fire one round low. The two men whose rifles were caught fired. The crowd did not disperse and more men joined to the crowd. I then ordered the two same men to fire two more rounds one each and they fired. The crowd then dispersed and ran. I saw two men in the crowd falling down. One got up soon after and ran away and the other was backed up by the crowd and carried away. Altogether 4 rounds were fired.

Q. Did any of the two men die?

A. I did not hear of it. The front sword attached to the rifle of Tara Chand was bent during the attack by the crowd.

Q. Were you hurt?

A. I received three injuries from stones thrown at me.

Q. To whom did you report?

A. I reported the matter to Captain Gouri Dutt, who arrived on the scene 5 or 6 minutes after the firing.

(Sd.) SHYAM SINGH,
Lance Naik.

Certified that the above statement was read over to the witness and was admitted correct by him.

(Sd.) RAM NATH SHARMA,
Secretary Enquiry Commission.

21st August 1931.

WITNESS No. 63.

Pandit Kailash Ram of Vicharnag, on S. A.

Q. Is this your written statement (Ex. 78)?

A. I do not understand English. My son Vidh Lal wrote it. He wrote it according to what I said.

Q. Did you hear any noise before 4 p. m.?

A. There was some noise but I did not pay attention to it. I first paid attention to the noise when the crowd shouted "Allah-O-Akbar" and called out my name. This was at 4 p. m.

Q. How many men were in the crowd?

A. There must have been four or five thousand people.

Q. Before that had you heard of the loot at Naushehra?

A. I had not heard before that of the loot at Naushehra.

Q. Have you a shop at Naushehra?

A. I own two shops at Naushehra. But they are let on rent. I do not work there. I work at home.

Q. What work do you do?

A. I do Sarafi that is money-lending business.

Q. Have you lent money to people at Vicharnag?

A. Yes.

Q. Have you lent money to Hindus or Mohammedans at Vicharnag?

A. Hindus at Vicharnag. There are very few Mohammedans living in Vicharnag proper.

Q. Have you lent money generally to Mohammedans?

A. Yes. Majority of my debtors are Mohammedans.

Q. Where do your Mohammedan debtors live?

A. They live at different places at Sovra, Vantabhavan, Naushehra and Srinagar, etc.

Q. How far is Naushehra?

A. It is about a quarter of a mile from Vicharnag.

Q. Do you think you were looted because you are a Hindu or because your debtors wanted to destroy your books because of your being their creditor?

A. I cannot say.

Q. You have stated in your written statement that you noticed some of your debtors among the looters?

A Yes

Q. Why did they loot you?

A. I cannot say.

Q. When was your house visited by an officer first?

A. Khawaja Noor Shah came first. My son will depose about it.

Q. When did your son Vidh Lal reach your house after the loot?

A. At 7 p. m. The loot was finished then.

Q. Is any of the property looted from your house recovered as yet?

A. No proper investigation was made. The property of the value of about hundred rupees was recovered.

Q. Do you know name of places from where the mob which attacked your house came?

A. The crowd came from the surrounding places, namely, Naushehra, Sovra, Vantabhavan and other places.

Q. Is there any Police Station at Vicharnag?

A. No Police Station is there. A Police Station has been started there since the riot.

Q. When did the Police start investigation after the loot of your house?

A. About two or five days after the loot.

Q. Which is the nearest Police Station from your house?

A. The nearest Police Station is at Sangin Darwaza. My house is included in that Police Circle of Sangin Darwaza.

Q. How far is your house from Sangin Darwaza?

A. About a mile and a quarter.

(Sd.) KAILASH RAM.

Certified that the above statement was read over to the witness and was admitted correct by him.

(Sd.) RAM NATH SHARMA,

26th August 1931. *Secretary Enquiry Commission.*

WITNESS No. 64.

Vidh Lal of Vicharnag, on S. A.

Q. Is this your written statement?

A. Yes. This is my written statement (Ex. 79).

Q. What time did you reach home?

A. I reached home at about 7 p. m.

Q. Where were you stopped on your way home from Amira Kadal?

A. At Saada Kadal.

Q. Who took rupees five from you?

A. Some Mohammedans. The time was about 4-30 p. m. then.

Q. Do you know the name of any of the Mohammedans?

A. No. I can recognize one of them by face.

Q. Were you able to find out his name afterwards?

A. No.

Q. How many men were there?

A. There were some twenty men.

Q. Who was your Tangawalla, Mohammedan or Hindu?

A. Hindu.

Q. Could not three of you withstand this extortion?

A. All the Mohammedans carried *dandas*.

Q. What did you see when you reached your house?

A. The entire property in my house had been looted.

The wooden-doors, papers, ledgers, etc. were all burnt. The fire-smoulded even up to the next day. Religious books were also burnt.

Q. What were the religious books?

A. Bhagwad Gita and many other scriptures were burnt.

There were two fires—one in the compound and the other on the road. The remnants of the burnt material are still there. My father did not have any clothing. Even the sacred-thread round his neck had been cut and taken away. All the ornaments were removed both from the persons of the women and from the safes. There were two safes in my house. One large safe was broken. It is still lying on the road side. Another smaller safe weighing about a maund and a half, which was fire proof, was carried away.

Q. Has that safe been found so far or not?

A. No.

Q. Were other houses also looted in Vicharnag?

A. Yes. So far as I know eight houses other than mine were also looted.

Q. When was the enquiry started and your and your father's statement was recorded?

A. My father's statement was recorded on the 14th of July. He was injured and was sent to the hospital. My statement was taken subsequently.

Q. You say in your written statement that enquiry did not start till late. It appears now that your father's statement was recorded the very next day *i. e.* 14th of July. What is the delay you mention in respect of the enquiry?

A. The recording of the statement was not the starting of the enquiry. The statement was recorded only summarily to find out what loss had been sustained by the Vicharnag locality. A Sub-Inspector came and started recording of statements.

Q. Then according to you when did the proper investigation start?

A. No proper investigation has started even now. (When questioned about any sort of investigation, the witness answered.) The investigation started after about 15 days.

Q. Has any of your looted property been recovered or not?

A. Yes, property worth about rupees hundred only has so far been recovered.

Q. When was this recovery made?

A. On the very next day after the loot, property worth about rupees fifty was recovered. It was in the house of a Mohammedan. This house was in Naushehra.

The men who committed the loot were taking away this property and the property was not recovered during investigation by the Police. When I myself saw that my property was being removed I summoned two constables and got hold of that property.

Q. Which officer is investigating your case at present?

A. Two Inspectors and two Magistrates are holding investigation at present in the crime committed at Vicharnag.

The Chairman put it to the witness why he thought that investigation in his case was purposely delayed when he ought to have understood that great many investigations were started immediately after the loot and Police engaged for ordinary work, could not suddenly cope with that large amount of extra work?

A. This was the business of the Government. I cannot say.

Q. Has the investigation been made properly now or not?

A. I have not full faith yet in the capacity of the investigation. I think that if proper investigation is made with promptitude my property can be recovered.

Q. Do you suspect some houses where your property may be concealed?

A. I have no definite suspicion but I am sure that the looted property cannot have been removed away from houses completely. If there is capable Police and investigation is made with intelligence, I am sure that much of my property can be recovered.

Q. What are your complaints? Were not searches made?

A. The Police made no searches at all. No searches were made for 15 or 20 days after the event.

Q. You say the Police did not make any searches. Did anybody else make searches?

A. No.

Q. Do you know the name of the man who first warned you of the danger at Vicharnag and suggested you not to go there?

A. I do not know his name but he was a Mohammedan.

Q. Can you say the reason why that Mohammedan warned you of the danger? Was he friendly to you or he warned you simply to save a Hindu from the danger?

A. I cannot say. He may have taken pity on me but he was not a friend of mine.

Q. Do you know the name of the man who gave you shelter on your way to Vicharnag?

A. His name is Ahad Dar.

Q. Why did he give you shelter in his house?

A. He was my debtor and knew me well.

Q. Do you know the name of the person who gave you shelter for the second time?

A. I do not know his name.

Q. Was he a Hindu or a Mohammedan ?

A. He was a Mohammedan.

Q. Was he known to you before or did he also give you shelter out of mercy ?

A. He was not known to me. He gave me shelter in his house simply out of pity.

Q. Was the property looted in your house insured ?

A. No.

Q. Was your father in debt on the day the riots took place or were any decrees passed against your father ?

A. No.

Q. What is the amount of loss as a result of the loot in your house ?

A. The value of the property stolen is Rs. 1,23,250.

Q. Were all your account-books destroyed by the mob ?

A. Excepting 2 current *bahis* and a few *tamasukat* all the rest were destroyed.

Q. Have you got any proof to show that actually property to the value of Rs. 1,23,250 was lost as a result of the loot in your house on the 13th of July ?

A. Yes.

The witness added that the books and ledgers which could prove the actual loss have been destroyed by the mob but that he would be able to prove the loss.

Q. What was the amount of the hard cash and the value of the ornaments in your house on the day of the loot ?

A. Rs. 40,000 were in hard cash and there were ornaments to the value of Rs. 10,000. There were also documents and Hundi valuing about Rs. 8,000.

Q. Did you complain to the I. G. P. or to the Police Minister about the Police in taking no action in regard to the loot in your house ?

A. I did not complain to the Police Minister but I reported the matter to the I. G. P.

Q. What did you report to the I. G. P. or did you report the matter verbally to him ?

A. I made a verbal report to the I. G. P. four or five days after the loot.

Q. You have stated in your statement that you knew of the danger one or two months before the occurrence. Did you communicate this information to the Police authorities ?

A. I mentioned about this to a constable of the C. I. D. about 15 or 20 days before the disturbance.

The witness added that he informed the C. I. D. constable just out of fear to himself and to his property but the constable assured him that necessary action was taken by the Government in the matter.

Q. Do you know the name of the C. I. D. constable, to whom you communicated this information ?

A. I do not know his name but I can recognize him. He is a Hindu.

(Sd.) VIDH LAL.

Certified that the above statement was read over to the witness and was admitted correct by him.

(Sd.) RAM NATH SHARMA,

Secretary Enquiry Commission.

26th August 1931.

WITNESS No. 65.

Pandit Sri Kanth Khar of Vicharnag, on S. A.

This is my written statement (Ex. 80).

Q. Was your house looted ?

A. No.

Q. Did you attend any of the meetings of S. M. Abdulla at Sovroo? How did you know of the meetings otherwise ?

A. I did not mention Sovroo. I know of meetings at Noushehra. During the months of Baisakh and Jeth I used to come to Haba Kadal to hear the lectures of Mahrishi Shiv Barat Lal, from 7 to 9 p. m. Returning home to Vicharnag it took me a long time and I used to get there at about 11 p. m. or mid-night. I used to see a large concourse of Musalmans at the house of Noora Rafoogar at Noushehra. I knew that S. M. Abdulla gave discourses there to the Mohammedans. I heard of this from Noora Rafoogar himself.

Q. What sort of discourses were they ? What objection could you have to discourses by S. M. Abdulla ?

A. The discourse was that Mohammedans were not getting rights and that the Government was working against them. The subject of this discourse used to get out because Mohammedan shop-keepers at Noushehra used to talk about it to the neighbouring Pandit shop-keepers and that is how it was known what discourse was made. The Mohammedans felt annoyed and excited because they were told that the Pandits take all the employments and none were given to them. The Mohammedan shop-keepers talked with Hindu shop-keepers about the employment being monopolised by Pandits.

My house is situated centrally and from there I could see both Nowshehra and Sovroo. I heard the tinkle of a bell. One shop-keeper Madhusudhan Khar came running to Vicharnag. He is my nephew. Time was about 2 p. m. then. He said that we shop-keepers will be looted because messengers came on bicycle and some Mohammedans also came in a car and gongs are being struck at the mosque. There is one mosque of Khawja Habib in my neighbourhood. I could not believe such a rumour. I saw people coming from Sovroo. In Sovroo there are no Hindus. It is inhabited by Mohammedans only. I saw men going to Noushehra from Sovroo and Wantabhavan. I saw a crowd collected at Noushehra. They were in thousands. Another nephew of mine Mahanand Khar came running with only a *kurta* on. He said that Mohammedans beat him and looted his shop. I think it was about 2-30 p. m. then.

Q. Did you go to Noushehra ?

A. No, I had not the courage. Mohammedans were collected all round and no Hindu could venture to go there at the time.

After this I saw flames. I also noticed Mohammedans taking away properties from shops under their *kurtas* or in bundles to their own houses. There are two roads near my house; one leading directly to my house, another away from my house. The Mohammedans came three times to the corner towards my house. They used to come as far as the electric pole and then turn back. I do not know whether they turned back of their own accord or were summoned back. This happened three times. The crowd then came behind my house to the house of Mahanand Khar and others by the other road. I went to the back of my house on my balcony. The crowd pushed down and demolished the wall of the compound of Sarvanand's house. Time must have been 3-15 or 3-30 p.m. then. I told the Mohammedans as I was known to them not to commit such an act. I folded my hands and begged of them. They shouted to me "You sit in your house. Your house will not be looted. Dont fight against an army." I said that that house of Sarvanand was also mine and should be spared. One of the crowd came to me and asked for monitary consideration to save the house. The women in the house were willing to give away their ornaments. I then settled the payment at Rs. 100 and gave one currency note of Rs. 100 to the man. The name of that man I afterwards found to be Habih Ganai *alias* Galamandu. In spite of this payment the house of Sarvanand was looted. Gopi Nath Khar's house was the first to be looted. Mahanand Khar's house was looted : also Madhav Ram Tikoo's. These houses were looted before my eyes.

Q. What reason had the Mohammedans to spare your house ?

A. I myself am surprised at my escape. I do not know why my house was not looted. Possibly some Mohammedan dissuaded them from looting my house.

Q. At what time did the loot at Vicharnag stop ?

A. The loot at Vicharnag lasted until the Military arrived at 7 p. m.

Q. How far is Kailash But's house from your house? Could Kailash But's house be seen from yours ?

A. It is about ten *jaribs* from my house as the crow flies. It cannot be seen from my house but any noise in that house can be heard from my house.

Q. Did you know of the loot in the house of Kailash But ?

A. Yes, after looting the house near my house the crowd declared that they were going to loot the house of Kailash But.

Q. Did you know that the crowd that looted Vicharnag formed a part of the crowd which had collected at the Jail on 13th July ?

A. No, I do not know. I am not aware of any crowd from the Jail coming to Vicharnag.

Q. Were you at any time attacked by any Mohammedan crowd and were you saved at the intervention of some Mohammedans ?

A. No, I was not attacked and no Mohammedan saved me.

Q. How long before the occurrence were you aware of the danger of disturbance and loot in the city ?

A. I was aware of the danger about a month or two before the occurrence as meetings used to be held in the mosques and there was a talk that loot might take place.

Q. Did you give information about this to any Police officer or any higher authorities?

A. I did not believe that information and so I did not communicate that information to anybody.

Q. Did any Police help come at the time when the houses at Vicharnag were being looted?

A. No. The Police arrived at the scene after the Military had arrived there. The nearest Police Station from Vicharnag is Hawal about a mile and a half or two miles from Vicharnag.

The witness added that Sangin Darwaza and Hawal are one and the same place.

Q. You have stated at the end of your statement that under the verbal orders of Mr. Wakefield when he visited Noushehra the activities of the Police in making investigation practically ceased. Did you hear Mr. Wakefield giving any orders?

A. I did not hear Mr. Wakefield give any verbal order. I did not myself see Mr. Wakefield visiting Noushehra. It happened like this. There was some consultation with Mohammedans with the Rafoogar whom I have mentioned and another Mohammedan that the looted property will be given up and there was a *w'az* to this effect in the mosque also. After this some property was thrown out by the looters in pursuance of this agreement. After this Mr. Wakefield came and Peer Yahya said in my presence that Mr. Wakefield had said that the Mohammedans need not be nervous; there will be no house searches of Mohammedans and that is why the Mohammedans did not return the property. It is on this information that I have based my statement about Mr. Wakefield's verbal order. When Peer Yahya made the statement referred to by me above S. N. Nanda was also present.

Q. Are you aware of the firing by the Military at Vicharnag?

A. No firing was made in my presence.

Q. Where did the firing take place, in Vicharnag or in Noushehra?

A. I learnt that the firing was made on the boundary between Vicharnag and Wantabhavan.

Q. Did you know of Mr. Wakefield going to enquire about the shooting which took place there?

A. No. Mr. Wakefield never came to Vicharnag.

(Sd.) SRIKANTH KHAR.

Certified that the above statement was read over to the witness and was admitted correct by him.

21st August 1931.

(Sd.) RAM NATH SHARMA,
Secretary Enquiry Commission.

WITNESS No. 66.

Budhi Prakash of Delhi, on S. A.

This is my written statement (Ex. 81).

Q. Where do you live?

A. I am a resident of Delhi.

Q. What is your business in life?

A. I have an agency of Delhi Flour Mill.

Q. How is it that there is a seal of Sanatan Dharam Pratap Sabha under your statement?

A. The seal is affixed because I sent the statement here through the Sabha.

Q. Did any officer of the Sabha come to you for this statement?

A. No. I heard that a Commission of Enquiry was appointed and as I was a stranger here I approached the Sabha and submitted the statement through the Sabha.

Q. Is the shop where you took shelter opposite post-office?

A. No, it is in the same line where the post-office is.

Q. Do you know in what blood the cloth on the stick like a banner was smeared?

A. I do not know. How can I tell, it was not slightly stained but it had been dipped in blood.

Q. How many *charpoys* did you see with the crowd?

A. I saw three or four *charpoys*.

Q. Were those on the *charpoys* dead bodies or wounded men?

A. I was not able to ascertain that. I thought that they were wounded men.

Q. How many men were there in the crowd?

A. In my opinion there were a thousand men.

Q. Can you tell whether it was the direction of the Jail from which the *charpoys* and banner of blood came?

A. I am not acquainted with the localities here. I cannot tell.

Q. Can you tell so much whether they came from the direction of Maharajganj or did they go towards Maharajganj?

A. They went towards Maharajganj.

NOTE.—From the situation of the post-office as seen by the Commissioners if the crowd came from the direction of the Jail it would pass along that way to Maharajganj.

Q. When did the Military arrive?

A. The Military arrived between 4 or 5 p. m.

Q. Did you see the Cavalry arrive first or did you see the lorries of the Military arrive first?

A. I did not see any Cavalry. The first Military force I saw was that which arrived in the lorry. One lorry arrived with the Military.

Q. Were arrests of Mohammedans and recovery of stolen property made immediately after the Military arrived?

A. It happened this way. I went to the Military officer for protection and safe conduct to Amira Kadal. He took me in the Military lorry. The lorry went a short distance and then stopped. It is at that place where it stopped that I saw Mohammedans being arrested and stolen property brought.

Q. At that time were the Military arresting or the Police?

A. The Police was not visible at the time. It was the Military who was arresting.

Q. When you were looking through chinks from above did you see any Policeman?

A. No, I did not see any Policeman. The first sight I had of Policemen was at the Chowki upstairs, I saw Policemen tying their *safas* after the Military had arrived. This was where my lorry stopped.

Q. Was the shop in which you had taken shelter looted?

A. No. The shops on that side of the post-office were not looted, the shops on the other side of the post-office were looted.

Q. Was the post office looted?

A. The post-office was closed. The rioters struck with *Lathis* against the doors. Then a cry was heard in Kashmiri and on his cry the Mohammedans left the place.

Q. Is this your first visit to Srinagar or did you come before this also?

A. I came to Kashmir first time about two years ago and this is my second visit.

Q. Have you any business relations with any shopkeepers at Maharajganj Bazar?

A. Yes. I have business relations with the shop of Ramditta Mal Khanna where I had gone on the day of the riot.

Q. Were you put to any loss on the day of the riot?

A. No.

Q. Do you remember the time when you saw the crowd with the banner of blood and the wounded persons in the Maharajaganj Bazar for the first time?

A. It was perhaps 2 or 2-30 p. m.

Q. Did you hear from any shop-keepers before the crowd actually came to the Bazar that there was any fear of any disturbance or riot taking place in the city?

A. No.

Q. What happened to the men on the *charpois* who were being carried by the crowd at the time when the loot started in the Bazar?

A. The *charpois* were taken away by the crowd and the part of the crowd which remained behind indulged in looting.

Q. Was any Mohammedan Doctor's shop visible from the place where you had taken shelter?

A. No. The place in front of the shop where I had taken shelter was a graveyard.

Q. Did you hear at the time of the loot or immeditately after it that Doctor Abdul Wahid had instigated the mob to loot the Bazar?

A. Immediately after coming out of the shop where I had taken shelter I heard people abusing Doctor Abdul Wahid and I also heard

them saying that it was Dr. Abdul Wahid who had instigated the mob to loot.

(Sd.) BUDHI PRAKASH.

Certified that the above statement was read over to the witness and was admitted correct by him.

21st August 1931.

(Sd.) RAM NATH SHARMA,

Secretary Enquiry Commission.

WITNESS No. 67.

Pt. Chandar Bhanu Sharma, Brahman of Delhi, on S. A.

20th August 1931.

This is my written statement (Ex. 82).

Q. What is your business in life?

A. My son has a shop in Delhi.

Q. Were you in company of Budhi Parkash on that day?

A. Yes. There were other men with me also. They were also of Delhi.

Q. When a message came to have a *hartal* were Mohammedan shops at once closed?

A. Yes. Hindu shops closed slowly afterwards.

Q. Did you yourself see Mohammedan shop-keepers writing on the doors that the shops belong to Mohammedans?

A. Yes. The writing was in Urdu. It is true that I do not know Urdu and write in Hindi. But Budhi Parkash read what was written. The writing was with charcoal. I saw this writing on the doors 4 or 5 days afterwards also when I went next to Maharajganj.

Q. What happened to the first lorry which came with girls inside?

A. It went towards Maharajganj.

Q. Did you notice any Policeman while you saw the looted property being taken past the house in which you stood?

A. No.

Q. When did you see the Policeman first?

A. It was when the lorry in which I was placed stopped opposite the Police out-post that I saw a constable coming down from the Police out-post for the first time.

Q. You have written in your written statement about Mohammedans being caught and stolen property brought up. Who did all this?

A. The Military and some Punjabi shop-keepers.

Q. Have you any business relations with any of the shop-keepers of the Maharajganj Bazar?

A. No.

Q. Were you able to know at that time as to whence the crowd came, whether it came from the Jail or not?

A. I was not able to find that out at that time.

Q. Can you say whether dead bodies or wounded men were carried on a *charpoy*?

A. I cannot say. All I can say is that there were men on the *charpoys*.

Q. What happened to the men on the *charpoys* which were being carried by the crowd when the loot started in the bazar?

A. The *charpoys* were carried away by the crowd and after that the crowd which remained behind began to loot.

(Sd.) CHANDRA BHANOO SHARMA,

Brahman of Delhi.

Certified that the above statement was read over to the witness and was admitted correct by him.

21st August 1931. (Sd.) RAM NATH SHARMA,

Secretary Enquiry Commission.

WITNESS No. 68.

Kh. Ghulam Ahmad Mukhtar, M. A., B. T., on S. A.

Q. Have you prepared a written statement?

A. No. I did not prepare any because I was not aware for what purpose my statement was to be recorded.

The Chairman explained to the witness hat he had been called because he was a young Mohammedan graduate and the Commission would like to know what difficulties there were in the way of education of young Mohammedans.

Q. Are you employed any where?

A. I am employed in the Education Department.

Q. What is your salary?

A. My salary is Rs. 80. I draw Rs. 109 including allowances.

Q. How long have you been in service?

A. For two years.

Q. What salary did you draw at first ?

A. When I graduated I was appointed on a salary of Rs. 30 p. m.

Q. What duties do you perform ?

A. I am a teacher and do teaching work in Sri Pratap High School, Srinagar.

Q. What is your age ?

A. 23 years.

Q. When did you become a graduate ?

A. Three years back. (The Chairman said, "I take it that you were 20 years old then.)

Q. It is stated that on account of preliminary religious education, which Mohammedans are bound to undergo, they are of higher age when they become graduates. Apparently there does not appear to have been such a difficulty in your case ?

A. No. There was no such difficulty in my case.

Q. Did you undergo any Quranic training, or not ?

A. I did undergo such a training but I learnt the holy Quran at my house. I did not attend any Quranic School.

Q. What is the usual procedure for Mohammedan children ? Is it incumbent on them or not to attend Maktab for study of the holy Quran ?

A. Generally it is so necessary.

Q. How is it then that you had not to spend so much time at Maktab ?

A. That is because my father himself was literate and the Quranic studies could be carried on by him at home.

Q. How is it then that as a rule Mohammedan children have to spend so much time entirely in Quranic study ?

A. That is because their parents are not educated generally.

Q. May I take it as your opinion that with the advance of education, as parents get themselves more educated, this preliminary time spent by the Mohammedan children would be saved ?

A. I agree with your opinion that with the advance of education it would be possible for Mohammedan children to receive religious education at home and shall not have to attend Maktab before starting secular education.

Q. I would like to know the history of your education. Where did you matriculate ?

A. I matriculated from the Government High School, Srinagar. That High School is different from the High School where I am teacher at present. After that I joined S. P. College and became graduate. By graduate I mean passing the B. A. examination.

Q. Are there no M. A. Classes at the local college in Philosophy ?

A. No. I had to go to Aligarh for the M. A. course. I went to Aligarh on deputation immediately after getting my B. A. degree. I received a State scholarspip. I first passed my B. A. examination before taking my M. A. degree.

NOTE.—So far as the Chairman understood the position of the local college, there were many Professors of Philosophy there.

Q. What was the amount of scholarship that you received?

A. Rs. 30 p. m. for nine months. I received the scholarship for the B. T. examination and the course for that examination is nine months.

Q. After B. A. how did you manage to remain at Aligarh University?

A. I spent money out of my own pocket.

Q. Could your father afford to educate you?

A. Yes. He is Attendance Inspector of Compulsory Education and we have also a shop.

Q. What is the shop for?

A. It is a cloth shop. The shop is called Sultan Joo.

Q. Why did you prefer to take service. Do you not think business of a cloth merchant is sufficient for your needs?

A. Business is sufficient but as I was educated I thought it better that I should be employed in the Education Department.

Q. What would have suited you better financially, sitting at your shop or taking service?

A. My case is exceptional. I do not think I was suited for the work of the shop. So such a question did not arise in my case. I had also given a bond to serve for at least five years.

Q. Was it only by reason of the scholarship for nine months at Rs. 30 p. m. that you had to give a bond or did you receive any other emoluments also?

A. Rs. 270 (30 × 9) was the only consideration for me to have given this bond for five years.

Q. You are a young man and now-a-days all young men give thought to the general betterment of their countrymen. Have you given thought to the matter how the educational facilities for Mohammedans can be increased? What according to you are the obstacles in the way of education of Mohammedans?

A. The great obstacle is poverty.

Q. The Chairman put to the witness why there should be so much poverty among petty dealers of various Kashmir wares such as silver, shawls, etc.

A. The number of such petty traders is small while the large number are artisans who earn four to ten annas a day and labourers also.

Q. Is it your opinion that even artisans and labourers are entitled to higher education? The Chairman put it to the witness that the Indians have got into the habit of thinking that everyone is entitled to higher education because higher education is comparatively so very cheap in India. The Chairman giving his own example said that until he went to England his father never spent more than ten or twelve rupees on his education while the Chairman himself had to pay Rs. 300 or more on the schooling of his one son in England.

A. I quite follow the line of argument of the Chairman. In my opinion primary and secondary education ought to be given to all and in

my opinion sons of artisans and labourers are entitled to receive that education. Possibly as to higher education only those who can afford need take it.

Q. The Chairman put it to the witness that it is not the duty of the State to give higher education to the sons of artisans and labourers?

A. The witness still thinks that there should be encouragement for such education even for the sons of artisans and labourers.

Q. The witness was asked whether he would modify his opinion that the encouragement should be given by the Government so far as it is necessary for Government to obtain the service of educated men for Government employment?

A. I allow modification so far. It is not the duty of the Government to give higher education to its subjects merely for the sake of the education and then to follow other professions.

The Chairman said to the witness that he himself is not a Kashmiri Mohammedan nor has he been educated in Kashmir so it is not possible for him to appreciate the difficulties of a Kashmiri Mohammedan in getting educated. The witness suggested poverty as the greatest obstacle but it is for him and young men like him to devise some scheme which may be placed before the Government and which may overcome the difficulty of education. Various schemes may be suggested, for instance a lot of say a hundred or two hundred young boys being educated all through by the State and then be made to repay the money spent on their education by small instalments as is done in several scholarships on the Bombay side. Some kind of a scheme must be produced before the Commission either by young educated Mohammedans or by some Mohammedan Association on which the Commission can deliberate and pass an opinion. So far the Commission has been left in the dark. The witness has been requested by the Commission to consult his friends and suggest to the Commission some kind of scheme under which it may be arranged that larger number of Mohammedans can receive higher education within the prescribed limit of time that is prescribed for entering services. The witness said that if he is authorised he will be prepared to consult his friends and submit a scheme in a week's time. The Chairman thought that no authority was necessary under the declaration of His Highness the Maharaja Bahadur regarding the immunity of every witness who gave evidence before the Commission. Even so as the witness desires authority the Commission hereby authorises him to consult his friends and prepare a scheme.

Q. Have you any idea of the number of educated Mohammedan boys in Kashmir who are at present unemployed?

A. I cannot say that straight off at present but I will submit this information when I submit my note.

Q. Have you any idea of the number of private schools maintained by the Mohammedans at their own cost in Kashmir?

A. I have no idea but I will find out.

Q. Are you aware of the existence of three girl schools maintained by the Women's Welfare Association for the exclusive benefit of Mohammedan girls?

A. Yes, there are three such Mohammedan girl schools maintained by the Association.

Q. Are you aware of the scale of fees in those schools? Have you any idea as to whether these three schools are self-contained that is their expenses are met by the fees realised from the

students or whether any special grants have to be made for the expenses by the Association?

A. I have no idea that.

(Sd.) G. A. MUKHTAR.

Certified that the above statement was read over to the witness and was admitted correct by him.

(Sd.) RAM NATH SHARMA,

15th September 1931. *Secretary Enquiry Commission.*

WITNESS No. 69.

Abdul Majid Qureshi, on S. A.

20th August 1931.

This is my written statement (Ex. 83).

The Chairman congratulated the witness on writing such a discourse when he says in his written statement that he never delivered any speech.

Q. Your statement is very vague, you ask for 75 per cent. Mohammedans to be employed in Government service but you submit no list of educated Mohammedans.

A. I belong to Jammu and am not prepared to make a list.

NOTE.—The witness speaks so fast that it is very difficult to put down what he says while he spoke very fast, the Chairman caught certain words which the Chairman understood to be that according to the witness the Mohammedan Association kept aloof and the Association has resolved not to participate in the proceeding of the Enquiry Commission. The Chairman wants to put the following question :—

Q. What advantage the Mohammedan Associations expect to gain by refusing to put their case before the Commission ?

A. I can say nothing about it, because I am not a member of any Association.

Q. If you are not a member of any Association, how do you say that the Associations have resolved to keep themselves aloof from the Commission?

A. I say so because so far not a single representative out of 10 or 11 representatives of the Mohammedans has appeared before the Commission to give evidence.

Q. Who has elected these 10 or 11 representatives?

A. The Government desired the Mohammedans of Jammu and Srinagar to elect their representatives so that those representatives may put before the Government the demands of the Mohammedans. The Youngmen Mohammedan Association of Jammu had a public gathering at Jammu. In a public meeting the Mohammedans elected four men as their representatives. In Srinagar also a similar public meeting was held. In Srinagar seven representatives were elected by this public meeting.

The Chairman gave his opinion that there really must be one man who could talk a lot and who was literally mentioned certain names and the people cried out assent ?

A. I was myself present at a meeting in Srinagar. The Mir Waiz was the President of the meeting. He asked the public collected at the place who were their representatives. A man who desired to propose a representative mentioned the name of such a representative. After this votes were taken. The man who received a large number of votes (the witness said 'Voices') was considered as elected.

Q. You object to the cancellation of the advertisement asking only for applications from Muslims to fill up vacancies and posts in Srinagar Municipality. Do you yourself approve of such a selection confining this selection to one community ?

A. Yes. I am of this opinion because the percentage of Mohammedans in Kashmir Government is practically non-existent and for that reason it would be right if a number of posts were reserved exclusively for the Mohammedans.

Q. It is obvious that there are no local Mohammedans of education to fill 75 per cent. of the jobs as you suggest. Is it therefore your opinion that outside Mohammedans should be preferred to Hindus of the State ?

A. I am certainly of that opinion. I am even of this opinion that outside Mohammedans should be preferred to even Kashmiri Mohammedans.

Q. Do you consider it to the benefit of the State that outsiders should come in the employment and take away the money of the State ?

A. I am of that opinion. The Kashmiri Mohammedans would be pleased.

Q. I place before you the statement of a Kashmiri Mohammedan Maulvi Abdulla Vakil. He put in a clause that outside Mohammedans should be turned out as soon as the Kashmiri Mohammedans did not like them. What would you say to that reservation ?

The witness did not give a direct answer. What he said was that the Government should import Mohammedans from outside who may be reliable and who may be relied upon to look after Mohammedan interests just like Mr. Wattal *i. e.* of the same capacity and determination to look after the interests of his own community. If this is done Kashmiri Mohammedans would not be displeased with such a selection.

Q. You have asked for reduction of revenue. Have you considered the matter ? How will the Government run on reduced revenue ?

A. The British Government is reducing revenue everywhere. That is what Mahatma Gandhi is fighting for. Similarly revenue should be reduced in this State.

Q. What do you mean by the Bakarwals being placed on the same level as Gaddis ?

A. The Gaddis are not treated as a criminal tribe and the taxes levied on them are much less than Bakarwals who pay higher taxation and are considered as a criminal tribe.

Q. Do you know out of what money the Military Training School for Rajput boys is being maintained ?

A. Yes. It was the *dan* money of His late Highness. If it was *dan* money it ought to have been given to Brahmans as a matter of right.

As however it was not given to Brahmans, there is no reason why Mohammedan Rajputs should not derive equal advantage from the school.

(Sd.) ABDUL MAJID QURESHI.

21st August 1931.

Certified that the above statement was read over to the witness and was admitted correct by him.

(Sd.) RAM NATH SHARMA,

21st August 1931. *Secretary Enquiry Commission.*

WITNESS No. 70.

Brigadier Sutherland, on S. A.

21st August 1931.

This is my written statement (Ex. 84).

Q. What is the number in one troop?

A. 15 to 18 men in each troop.

Q. You speak of finding two wounded men at Kathi Darwaza, were they Hindus or Mohammedans?

A. To the best of my knowledge they were Mohammedans.

Q. I would like now to bring your mind to bear on the time when you arrived at the Jail. You say that the Governor came out of the Jail. Do you remember that on your arrival the Governor must have come out of the Jail gate? What I wish to know is whether you remember some officers D. I. G. Police and S. P. being on this side of the iron gate in the compound?

A. I cannot be sure. So far as I remember there were some officers in the compound.

Q. In what condition did you find the compound of the Jail when you arrived?

A. I noticed a number of kit boxes lying about and stones scattered about inside the compound.

Q. What conclusion would you draw now from the number of stones you saw? What I desire to know is whether the number was such as could have been thrown by two or three men or was the number large and according to you must have been thrown by a large number of people?

A. The quantity of stones scattered about was such that I gathered that they must have been thrown by a large number of people.

Q. At the bottom of the page you state "At the other end of the Nawa Bazar we found some Hindu shops had been looted". How could you tell that they were Hindu shops and not Mohammedan shops?

A. The Magistrate Pt. Satya Lal accompanied me. On enquiry he informed me that they were Hindu shops.

Q. On page you state "At Safa Kadal a shop had been looted and we came upon some men and boys who were carrying the loot." Have you any idea whether these men and boys were Hindus or Mohammedans?

A. I cannot be certain. They were 50 or 60 yards away from me. There were two troopers ahead of me. I came next and the rest were behind. On account of the distance I could not be sure whether these men and boys were Hindus or Mohammedans.

Q. Can you remember the time when you reached Safa Kadal?

A. It is difficult to say but I should say that it was roughly 6 o' clock or shortly after six.

Q. On the same page you say "We then proceeded on to Ali Kadal. En-route we found that the Hindu shops only had been looted". Was this information also about the shops looted being Hindu shops based on enquiry and what Mr. Satya Lal told you?

A. Yes, it was in part. As regards some shops I found Hindu owners of shops standing outside and crying that they had been looted.

Q. The same question is asked as regards the two shops you mention between Nawa Kadal and Ali Kadal as having been looted. Were they Hindu or Mohammedan shops?

A. My answer is the same. I gathered that they were Hindu shops either from information given by Mr. Satya Lal or on seeing the Hindu owners standing outside and crying.

Q. You say that you did not notice whether the 12th man was wounded or not?

A. I did not examine him.

Q. You did not examine the body but probably the presumption is that the man had been killed in the riots because up above you have stated that even before the body arrived 12 graves had been dug and not 11 graves for the 11 corpses at Juma Masjid.

A. Yes, I did notice 12 graves dug before the bodies were brought. I questioned why 12 had been dug for 11 bodies and I was told "We never know, another body may be brought".

Q. Have you any idea where Khanayar is?

A. I am not sure.

(NOTE.—Khanayar is somewhere near this particular burial ground. The Commissioners saw the place while driving past the burial ground yesterday).

Q. You were not told the circumstances under which this Mohammedan (the 12th body) was killed?

A. I did not ask and I was not told.

Q. You have stated about the arrest of three men who had thrown stones on soldiers and were kept at Bagiyas Police Station. This is hearsay and you did not make any enquiry?

A. Yes, this is hearsay from the picket of soldiers who were at this particular Chowki.

Q. Now we come to the shooting at Nawa Bazar on 15th July. Do you remember whether the man who was brought in a tonga with a wound in his ankle made any complaint at the time? What I want to know is whether there was another story of the shooting?

A. The man was in pain but he made no complaint as to his being shot without any cause. I asked him to question and he volunteered no statement by himself.

Q. Are you certain that this statement of the rifle of the Sepoy Abey Singh being seized was told to you immediately on enquiry? You are not mixing up what you may have heard subsequently?

A. No, I have a distinct memory that this incident of the seizing of the rifle was told me immediately on my making an enquiry. N. C. O. in command told me about it immediately.

Q. When the corpse was brought on a *charpoy*, did any of the persons who accompanied the corpse tell anything about the incident?

A. No one said anything. No complaint was made and I did not ask the *charpoy* bearers how the man was killed.

Q. How do you know he was killed in that fracas?

A. I took this for granted.

Q. I take it that the same was the case with regard to the two wounded persons who came subsequently?

A. Yes, it was the same case. I did not ask and they made no complaint.

Q. I come to the incident of the alleged looting of the shop at Rainawari. Do you remember whether it was a Hindu shop or a Mohammedan shop which was alleged to have been looted?

A. I saw the shop-keeper myself who complained. So far as I could make out he was a Mohammedan.

Q. You state as regards this shop that no damage to the shop appears to have been done. How did you arrive at this conclusion?

A. I looked inside the shop from where I was. He said that cigarettes were stolen and sugar. But I could see no damage to the containers in which the cigarettes and sugar were.

Q. Have you got the result of the Court of enquiry?

A. I have got the result but it cannot be definitely said which troops were in these particular lorries.

There is no proof so far as could be discovered of any loot. The man exaggerated a great deal. He said that he had suffered a loss of Rs. 3,000 while the stuff in his shop could hardly be worth Rs. 5.

Q. This matter has nothing to do with any elucidation of a question in dispute in this enquiry but the Hindus have made a complaint that Mr. Wakefield did not visit Vicharnag while Mr. Wakefield stated that he did go to Vicharnag. When Mr. Wakefield was examined the Chairman had not seen the locality and did not understand that there was possibility of a mistake. Have you any clear idea as to where you went on 16th of July. Did you go to the houses which were looted?

A. We drove up to the picket. Then we turned round and came along the shops. I think that we did not actually go to the Vicharnag houses which were looted because on a subsequent date I did go to those houses and I remember that on the 16th of July we did not visit those houses. We went to Vicharnag beyond the shops but not down the road where the houses were looted. When the Hindus were so particular about our seeing the houses why did they not come and ask us to look at their houses.

Q. Did any Hindu ask you to go round and see the looted houses?

A. No. No Hindu asked us to do so at the time. If we had been asked, certainly we should have gone across which is only the next step.

On our way to Vicharnag passing Noushehra shops we saw not a soul there. It may have been a place of the dead. It was on our return that a lot of women surrounded our car. The whole mob was of women. On being questioned by the Chairman the witness explained that there was neither any Hindu nor any Mohammedan male himself present at the time to complain to us that shops were looted. The women were shouting and saying a great deal. But I was not able to understand what they said, they made such a great deal of noise.

Q. You state on page of two Mussalman gentlemen telling you at Maharajganj on 18th July that the Military were troubling the Mohammedans. Had you at any time any definite proof of Military troubling the Mohammedans during the occupation of the city by the troops?

A. No. Never. I would like to add that the discipline of the troops was examplary.

(NOTE.—The Chairman added that the Commission also has come to that view after hearing the evidence).

Q. Now we come to the incident of the Gujjar boy. Do you think that some of the detonators may remain alive after the blowing up?

A. That must have been the case here. I had no previous experience of blowing up a dump of gun cotton and detonators. I myself was present at this particular blowing up. The ordnance officer and sergeant examined the place afterwards and considered that all was safe. It is, however, possible that a detonator remaining on a piece of gun cotton may have been blown off from the dump completely without bursting. That seems to be the only explanation how the boy was injured.

Q. Did the interpreter when you examined the Gujjar boy at Ramnivas tell you that the boy himself stated that he hit something with a stone which exploded?

A. Yes. I actually saw the stone on which there was a blood stain.

Q. Was the stone charred?

A. It is not necessary that a stone be charred by the bursting of the detonators.

Q. Did you find any detonator?

A. I saw a bundle of fuses near the stone but did not find any detonator at the end of the fuses.

Q. Did the boy volunteer to indentify the Sepoy who he alleged had shot at him?

A. I am not sure of this. The matter was obvious that no body had shot at him and that is why I did not think it necessary to enquire about this matter.

Q. Did you see the fingures?

A. No. Both the hands were damaged and they were well tied up.

Q. Then according to your evidence I gather that the definite case of a man being killed by the firing of soldiers was at Nawa Bazar. There was no other case?

A. Yes. That is so. That is the one definite case of a man being killed by the firing of a soldier. There is no certainty as to the result of the firing at Dum Kadal and Vicharnag.

Q. When you went to Jail on 13th of July did you hear that the iron gate of the Jail had been damaged as the result of the attack made by the mob on the gate ?

A. No. I did not hear of it on that date.

Q. Did you hear on the 13th of July that any hasp of the iron-gate had been damaged as a result of the mob attack ?

A. I did not hear that on the 13th of July. I did not also hear any part of the conversation which went on between Mr. Wakefield and the Governor.

Q. At the time when you left the Jail, had you any information that the Maharajganj Bazar had been looted ?

A. No.

Q. As a result of what you saw with your own eyes on the 13th of July and on subsequent dates, you are deliberately of the opinion that the mob which had collected at the Jail got infuriated as a result of the firing at the Jail and it was that crowd which when it dispersed from the Jail indulged looting in the bazar and that there was no pre-arranged plan to indulge in looting in the city ?

A. Yes. That is my deliberate opinion.

Q. As regards the firing at Nawa Kadal you have stated that you went to the spot immediately after the occurrence. Did you see there any persons of the vicinity at the time when you went there ?

A. There was only one person Mrs. Thakur Dass who came out of her house at that time and she informed me that there was a clash between the pickets and the crowd and that stones had been thrown at the troops and that was the reason why the firing had taken place.

Q. Was it at Maharajganj Bazar that you saw the Policemen shutting themselves inside their rooms on the 13th of July during the riots ?

A. I did not see any Policemen being locked inside the room but I was told afterwards by one of the Bhagats that the Police constables had shut themselves inside their room at the Policepost at Maharajganj Bazar just above the Chemist's shop.

The witness added that he misunderstood the queston. What he stated above was in regard to the Police out-post above the Chemist's shop. But it was at the Police Station Maharajganj that he saw the Policemen coming down from their Station and they reported to me that they had been forced to shut themselves in during the riots, as the crowd was too much for them to control and they were not properly armed.

Q. During the round of your inspection on the 13th July did you see the Police anywhere else busy in performing their duties during the riots ?

A. The Police was conspicuous by their absence on that day.

Q. When you went with Mr. Wakefield to enquire about the shooting at Vicharnag, were you at the time under the impression that the place where the firing was done was Vicharnag and that the place to which you went you took to be Vicharnag ?

A. We were under the impression that that place was Vicharnag.

NOTE.—It seems clear to the Chairman that Mr. Wakefield did go to Vicharnag but not to the houses of Vicharnag which had been looted.

Q. Are you aware of any house searches being made by the Military during the first two or three days of the riot?

A. I received certain complaints but I did not believe them.

The witness added that the only time when one or two soldiers entered any house was on the 14th of July. They went inside accompanied by Policemen in my presence and under my orders. After that the Military was strictly prohibited not to do any house searches by Mr. Wakefield who directed that the house searches were entirely a Police job and the Military should not do it.

Q. You have stated above that you have no definite proof that any harrassment or oppression was done by the Military towards Mohammedans. Did you receive any complaints to that effect from any Mohammedan in regard to any such harrassment?

A. The only complaint that I received was that Rs. 2 had been taken away by the Military men from one person.

Q. Who was he who made that complaint about the Rs. 2 being taken away from him by the Military?

A. It was a Mohammedan. (The witness then added that he asked the complainant to get into his car and brought him to Rainawari where he denied his previous statement.)

There was a written complaint by a bicycle-dealer that his wrist watch was taken away by a trooper and an enquiry is being made about it.

Q. As regards the boy whose fingers were blown off when did you see the boy for the first time?

A. I saw the boy in the afternöon of the morning the accident occurred.

Q. How old is the boy from appearance?

A. Must be about eight or ten years of age.

Q. What impression did you get on enquiry from the boy about the cause of his injury? Did you get the impression for the first time that the boy had been shot according to him by some Sepoy?

A. The first information that I got from the interpreter was that the boy had been shot at by one of the soldiers which at that time seem to be ridiculous.

Q. Were you able to find out subsequently as a result of the medical examination that whether the boy was actually shot at or whether the injury was caused to him from the bursting of a detonator?

A. I asked the boy to go two times a day to the Military hospital as that was near his house, but I did not bother to find out the result of the medical examination as it never entered into my head that the injury caused to the boy was from a bullet.

Q. As regards the place where the old detonators had been blown off was it ever apprehended by the Military authorities that any live detonator might not have remained there unexploded or was any action taken by the Military to see that nobody came near that place?

A. There was absolutely no apprehension whatsoever. Therefore the place was not put out of bounds.

Q. Were old detonators blown off for the first time?

A. Yes. To my knowledge it was the first time that detonators were blown off.

Q. Before Sangam bridge was actually burnt out did you receive any telephone message or other instructions from the Army Minister in regard to the sending of a patrol for watch and ward of the Sangam bridge?

A. I received absolutely no instructions about the Sangam bridge but I was asked to send a patrol to Anantnag which was sent. That patrol arrived at Anantnag on the morning of 9th.

The witness added that when he went to Anantnag to inspect his picket after the burning of the Sangam bridge, he was told by his Subedar Sahib Singh that the Tehsildar or the Wazir-Wazarat of Anantnag had received information before the burning of the bridge but all that Tehsildar considered necessary was to send a Chowkidar there and warn the inhabitants round about. The witness added that the Tehsildar should have called on the Military to watch the bridge but he did not do that and in the opinion of the witness, if proper action had been taken by the Tehsildar the bridge would not have been burnt.

Q. How long were the troops in occupation of the city?

A. Since 13th July in the afternoon up till now. They have been suffering great hardships, having to sleep on ground and in dirty shops.

Q. You already stated that Mr. Wakefield told you not on any account to permit the Military go inside houses or to search houses as it was entirely the business of the Police. Do you remember while driving with Mr. Wakefield to Vicharnag, his telling anyone, of his officers or anyone of the public, that, searches if made by the Military, should be stopped forthwith?

A. I do not remember any such talk.

Q. Did the Military patrol sent to Anantnag know that they were being sent to help the civil authorities there and were bound to carry out their orders?

A. Yes. They were bound to obey the orders of the Tehsildar.

Probably it was the day after the bridge was burnt that I went to inspect the spot.

(The witness was thanked by the Chairman for his very careful and illuminating evidence).

(Sd.) R. O. SUTHERLAND,

BRIGADIER,

His Highness' Government, Jammu & Kashmir.

SRINAGAR,
6th September 1931.

Certified that the above statement was read over to the witness and was admitted correct by him.

(Sd.) RAM NATH SHARMA,

Secretary Enquiry Commission.

6th September 1931.

WITNESS No. 69 *(recalled)*.

Abdul Majid.

Q. You complain in your statement of there being no Mohammedan on the Recruiting Board. Are you aware that one of the members now is a Mohammedan gentleman?

A. Yes, I know now.

Q. You complain of the age limit being fixed from 21 to 23 years. How is that objectionable to Mohammedan as compared to Hindus ?

A. The Mohammedans are more attached to their religion than Hindus are to theirs. The Mohammedans have to acquire religious education up to the age of ten. After that only they could start secular education. For this reason they are over 23 years of age by the time they become graduates.

Q. Is this drawback taken into consideration in British India ?

A. It is true that in British India no distinction is made as regards age between Hindus and Mohammedans but I know that the Punjab Government has fixed the age at 25 in order to obviate the difficulties of Mohammedans on this score. This age limit has been fixed particularly for E. A. C., Police, etc. examinations.

Q. The exclusion of Arabic is due to a controversy which is as old as nearly forty years ago when the Chairman passed the Indian Civil Service Examination. It is thought that Arabic and Persian are alike and therefore both should not be prescribed for an examination. The same difficulty arises as regards French and Italian and both languag; es aro not prescribed for any examination.

A. That is quite true but my objection has not been understood. What I mean is that Arabic and Persain may be prescribed in the alternative and I do not mean that the same student may be permitted to take up both Arabic and Persian.

Q. Are you really serious in saying that the young Mohammedans who compete for the Civil Service will not be able to pay a fee of Rs. 25 ?

A. There are many such.

Q. The Chairman observed that in his opinion if a man is so poor that he could not even afford to pay Rs. 25 to enter service it may be difficult to expect honesty from such an exceedingly poor man when he joined service ?

A. The witness said that it does not necessarily followed. There is an example of Mr. Fotadar, a Kashmiri Pandit, who has risen from the post of a Chaprasi and his carrying on his duties honestly as Assistant Director of Horticulture.

Q. Then your opinion is that the State should bear the expenses of the examination ?

A. In my opinion much smaller fee should be taken and the State should not make profit. When the Chairman explained that he as Member of Board of Examiners has noticed that even where such large fee, accord- ing to the witness is charged the State has to pay some thing extra for expenses, the witness observed that in that case the State should pay the expenses of the examination.

Q. You mention Mr. Wattal, Th. Kartar Singh and Mr. R. C. Kak. The Chairman asked whether Mr. R. C. Kak is also among the prophets. The witness asking for explanation was told whether the witness thought Mr. Kak also was one of the big influential men of the State?

A. That is so. He is held in great respect among the Pandits.

Q. The Chairman put it to the witness that during the short experience he has had of the State unfortunately one community sees a trap in everything that the other community does and it is the opinion of the Chairman that the communities should not be so very suspicious of each other. On page the witness has expressed several defects in the

Regulations for entering service as traps devised by Hindus to the detriment of Mohammedans.

A. The witness still believes that these are real devices to keep the Mohammedans out of service. The witness says that inspite of what the Chairman has expressed he is still of opinion that these matters are devised to keep out Mohammedans.

Q. Have these difficulties of Mohammedans been pointed out to the Recruiting Board and has the Board by letter to its Secretary been requested to amend the Regulations of the examination, age etc. for entering the service?

NOTE.—The Chairman said that he himself is a Member of the Board but no such representation by any Mohammedan Association has come to his notice.

A. All the Mohammedan associations did pass resolutions and copies of those resolutions were sent to the Secretary of the Board.

Q. Which is the appointment you have referred to of a Hindu Principal in preference to highly qualified Mohammedan? The witness in this connection spoke of a totally different matter that the advertisements of the Recruiting Board are never sent to Mohammedan papers and no advertisements of Government are ever sent to Mohammedan papers.

A. Tnis appointment refers to the appointment of a Principal of one of the two Colleges. (The Chairman said that the witness is mistaken about the matter. Nc appointment has so far been made and two Hindu Principals have not been selected). The witness then stated that what he meant was that the Hindu Principal was recommended in preference to a highly qualified Mohammedan. (The Chairman's opinion is that Mohammedans should not get excited over recommendations and should wait before making any complaint until appointments are gazetted).

Q. Which is the monopoly of silk weaving you refer to at page .

A. The monopoly is given to Bhagat Sukh Dial Amir Chand. No tenders were called for. The monopoly was given in a hole and a corner manner. The Mohammedans have complained to His Highness against the grant of this monopoly and have offered to pay the 3 lacs of rupees advanced by Government to Bhagat Sukh Dial Amir Chand and to take over the monopoly. There was only an advertisement given in *The Tribune* and the offer of the monopoly was not properly advertised.

Q. You may have written differently in the Vernacular but according to the English Translation before me you seem to object to a counter-propaganda by Thakur Kartar Singh Ji who you yourself admitted was bitterly attacked by the "Inqalab". Why should a Hindu be prevented from making a counter-propaganda when he is attacked by a Mohammedan?

A. I have no objection to the counter-propaganda. Every one is at liberty to help himself. What I want to point out is that what has been written by Pt. Gwash Lal against the Mohammedans is not the real truth but the writing is due to wire pulling by Thakur Kartar Singh.

Q. Who is this Abdul Haq who so easily earns a sum of Rs. 1,000?

A. He is a Dogra. He calls himself a Shaikh. I do not consider him to be a Mohammedan. This book "Disclosure of the Truth" is written in a very bad Urdu.

Q. How do you know that Abdul Haq was paid Rs. 1,000 for publishing this book?

A. He told me himself that he got this sum for publishing this book?

Q. How do you know that Mr. Gwash Lal is double-faced as you describe him to be taking money from Mr. Kartar Singh for writing and disclosing this fact to Mr. Wakefield?

A. I am fully satisfied that Mr. Gwash Lal is double-faced.

Q. How did you know this?

A. Mr. Gwash Lal himself told me that he had written to Mr. Wakefield.

Q. When did Mr. Gwash Lal give you this information?

A. In the first week of May 1931.

Q. The Chairman is neither a Hindu nor a Mohammedan but Parsee. He put this question merely to elicit the point of view of the Mohammedans. So far as he could see even if there has been any defilement of the holy Quran it was made by one particular person though in Government service. The Chairman entirely failed to see any reason for the whole of India agitation raised on this point?

A. The agitation was not made against all the Hindus or against the Government. But it was made only against an official of the State with the desire that that particular official may be punished.

[The Chairman refuses to agree with this view.]

The witness further added that there is a conspiracy among the Hindus such as this throwing down of the Quran and the stopping of the recital of the *khutba*. They know that right claims are made by Mohammedans to assert their existence and just to turn away the mind of the Government from the examination of those claims, they raised this other issue by which Mohammedans may be excited and failed to attain their object in an orderly manner.

The Chairman said that he thanked the witness for coming forward and giving evidence on behalf of the Mohammedans.

21st August 1931.

(Sd.) ABDUL MAJID QURESHI.

Certified that the above statement was read over to the witness and was admitted correct by him.

21st August 1931.

(Sd.) RAM NATH SHARMA,

Secretary Enquiry Commission.

WITNESS No. 71.

Aftab Koul of Vicharnag, on S. A.

21st August 1931.

This is my written statement (Ex. 85).

Q. What time it was when you were informed of the loot in Srinagar?

A. The time was about 3-30 p. m. when I was informed of the loot in Srinagar.

Q. Where do you live ?

A. I live in Srinagar and am employed as a Headmaster in Vicharnag. I am a Headmaster of Anglo-Vernacular Primary School.

Q. Have you got any house in Vicharnag to live ?

A. I have got no house in Vicharnag. I left Vicharnag when the rioters arrived to loot the houses there.

I must have left the house in which I took shelter at 4-30 p. m. I was encountered by 10 or 11 Mohammedans 10 or 15 minutes later.

Q. You acknowledge that some Mohammedans behaved in a humane manner with you ?

A. Yes. Two Mohammedans behaved in a humane manner towards me.

Q. Were all your clothes removed by the 10 men ?

A. Yes, only my shirt was left and they tore that also.

Q. Did you go to Noushehra and see the loot there ?

A. No. I heard a noise and saw a crowd from the house where I had taken shelter.

Q. How far is your school from Pt. Kailash But's house ?

A. It is very close to Pandit Kailash But's house.

Q. Had the loot started in Pt. Kailash But's house when you were still in your school ?

A. No.

Q. Was the Mohammedan Zamindar, who gave you shelter, was known to you previously, or did he feel pity on seeing your condition ?

A. The Mohammedan Zamindar was not known to me. He simply felt pity on me and helped me.

(Sd.) AFTAB KOUL.

Certified that the above statement was read over to the witness and was admitted correct by him.

(Sd.) RAM NATH SHARMA,

Secretary Enquiry Commission.

WITNESS No. 72.

Mirza Ghulam Mustafa, Vice President, Municipal Committee, retired Wazir Wazarat, on S. A.

This is my written statement (Ex. 86).

Q. Have you any knowledge how many educated Mohammedans are there who are not employed ?

A. I have no such knowledge.

Q. Can you give any approximate number? It has been stated by a Pandit that all educated Mohammedans unemployed at present including graduates, under-graduates, matriculates etc. are not more than, 40 or 50 at the most.

A. In my opinion there must be more than 60.

Q. Do you know that against these there are Pandits unemployed young men over 800?

A. I do not know. Possibly this may be true when the Pandits say so.

Q. Is it your opinion therefore that by reason of the far larger population of Mohammedans these few Mohammedan educated unemployed young men are better entitled to employment in public service than the large number of unemployed Pandit educated men?

A. Yes. I think so.

Q. 50 or 60 Mohammedan educated youngmen will not be sufficient to satisfy the Government demand for service. The demand of the Mohammedans is that 50 to 70 per cent. of the officers should be Mohammedans. How will you arrange for that?

A. Those who are educated at present should be employed. In future as they get more educated, more should be employed.

Q. Should outside Mohammedans be employed on posts where local Mohammedans are not available?

A. I am of opinion that for sub-ordinate posts that is posts excepting high administrative and judicial and technical posts outside Mohammedans should not be employed. I am in favour of employment being reserved for people of the State. As regards higher posts for which outsiders are selected, there also the selection should be made according to communities. If there are two appointments available, one should be given to a Hindu and the other to a Mohammedan. In case a technical expert is to be obtained, if once a Mohammedan has been appointed the next time the appointment should go to a Hindu.

Q. I now come to No. 4 of the causes of communal disturbance in your written statement. You have stated that mutual relations of the parties were affected by the speeches of the educated persons delivered in temples and mosques. I warn you that both Hindus and Mohammedans have come here and deposed that no discourses have been given either in temples or mosques beyond matters of religion?

A. I have understood the observation of the Chairman. In my opinion such a statement would not be correct. I am satisfied that in both places discourses are given to excite the populace and are not confined only to matters of religion.

Q. I come to the sixth cause given by you; the murder of a girl at Kanya Kadal. Do you think that the Pandits brought the accusation that the offence was committed by the Mohammedans. We have had evidence before us of an Association that they made no such accusation and whoever may have committed the offence a Hindu or a Mohammedan, they merely desired to take a procession through the city?

A. No. Such is not the case. The Hindus did bring the accusation that this sad occurrence was due to Mohammedans.

Q. Your first proposal, the Chairman said, is highly acceptable to me, but what would happen in a case which the Chairman suggested. You understand that these lectures and speeches cannot be prohibited without law. Suppose the Mir Waiz made an objectionable speech do you think that communal amity will be maintained if in such a case there is prosecution and conviction?

A. In my opinion the Mir Waiz if he acts like that, should not be treated in a way different from anyone else. If these lectures and speeches and holding of public meetings are not prohibited for a certain specified period, I do not believe that these communal estrangements will be put an end to for eternity (تا قیامت ختم نہیں ہوگا)

Q. In the second remedy you suggest for the maintenance of peace you say that law-abiding and peace-loving persons of the town may present to the Government the demands of the Kashmir Muslims. The Chairman put it to the witness that in his opinion law-abiding and peace loving persons had no longer any influence over the masses and all the influence was exercised by young men of extreme views.

A. It is my opinion that law-abiding and peace-loving persons should be consulted by the Government. If they are consulted, it is my opinion, that they will have influence over the masses. If only the extremists are consulted these law-abiding persons lose their influence and are abused if they interfere. As put by the Chairman this is not the case only with Mohammedans but with Hindus also.

Q. I come to the third remedy suggested by you that Mohammedan scholars should be employed. In this connection I would put before you the view of Hindu witnesses that there are very few unemployed Mohammedans educated young men because if there had been such Mohammedans and Mohammedan shop-keepers would have employed them as clerks and they would have been employed in Mohammedan schools where Hindu teachers are employed.

A. The cause of the employment of Pandits in Mohammedan shops is not that Mohammedans are not available. This connection between the Mohammedan shopkeeper and his Hindu clerk is ancestral and therefore is continued in spite of Mohammedan educated men being available.

As regards the employment of Pandits as teachers in Mohammedan schools such a communal idea had not presented itself up to now at the time of employment whether the candidate is a Hindu or a Mohammedan. Also Mohammedans prefer Government service and are not keen on taking up private service where there is not so much comfort and no prospect of pension and no certainty of tenure.

Q. As to remedy No. 5 you are of opinion that curfew law breakers should be released without trial ?

A. I am of opinion that these ignorant people did not understand what was expected of them and they committed a fault through ignorance. That is why I say that they should be released.

Q. Now we come to remedy No. 6. As regards it do you think that this financial help should be given because the men killed were innocent or because you think that communal amity would be secured by such a grant whether the persons killed have committed offence or not.

A. I quite agree that it is for the Court of law to determine whether those who were killed were innocent or guilty. All I say is that the temper of the people at present is such that considerable rest will be secured if the dependents of those persons who were shot are given grants by the Government.

Q. Now I come to remedy No. 7 regarding the Board proposed by you. Do you wish the Board to be permanent or only for a temporary purpose ?

A. I suggest it only for a temporary purpose for a certain number of months. You suggest a Board to advise the Governor that will be still more desirable a Board.

Q. What would you suggest about the selection. If any selection is made the people would promptly start shouting that the men are mere flaterers and not representatives?

A. The Government must not pay any attention to such cries. The Government must select men who are really influential and law-abiding. The same allegations are made even about Members of the Assembly but still some good is done by the Assembly in British India.

Q. What will you suggest to be the number of the Board?

A. I would say ten from each community would be sufficient.

Q. What would you say to the suggestion that these Members of the Board should be paid some allowance, say, a sum of rupees hundred a month?

A. I would be in favour of such a suggestion of paying this allowance.

Q. You are an old resident of Kashmir. Did any disturbances of the nature of those which took place on the 13th of July and subsequent dates ever take place in the past?

A. No. I never heard of such disturbances before.

Q. Were you in Srinagar on 29th Har 1988 (13th July 1931)?

A. Yes. I was in Srinagar. At about 2 p. m. I went to Dewan Bagh to distribute prizes to the students of two schools. At about 4 p. m. when the function had come to a close, my servant came and informed me that there was riot in the city and asked me to go back home.

Q. Had you any information before about the occurrence whether any such disturbances would take place on the 13th of July?

A. No. I had no idea that the people would go to the Jail.

Q. Were you able to find out whether it was the firing at the Jail which infuriated the mob and let them to commit loot in the city or whether there was a pre-arranged plan to loot the whole city?

A. No. I could not find that out. I was anxious about my own house and so I kept my house shut for three days.

Q. Were any houses or shops looted in your Mohalla?

A. No. No such loot took place there. As I have stated above Mohammedans as well as Pandits were asked by me to take care of each other and not to do any thing objectionable.

Q. Were you able to find out if any Mohammedan houses or shops were looted in the city?

A. There were complaints by Mohammedans that their houses had been looted with the help of the Military, but I did not go and see those houses, nor had I any definite information about it.

Q. A complaint had been made by one Hindu witness that during the days of the riots when the Hindus were in trouble, you did not go to help the Hindus or to console them in their time of distress. Did you extend any sort of help to any Hindu during this period?

A. There was no disturbance in my Mohalla and so the question of extending help to Hindus in that locality did not arise.

Q. Were you present at the meeting at Hazratbal which was convened by the Governor?

A. Yes. I was called to that meeting.

The witness added that before the meeting was held I had warned the Governor that it was not advisable to hold that meeting but he (Governor) did not comply with my suggestion and the meeting was held. I said that if any instructions are to be given they should be given in a Darbar and not at such a place.

Q. In regard to the employment of educated Mohammedans in large numbers as suggested by you are you aware that ever since the present Ruler became Maharaja all possible steps are being taken by the Government to increase the number of Mohammedan employees in the Government service?

A. Yes, I am fully aware that ever since the present Ruler became Maharaja everything possible is being done to increase the number of Mohammedans in the services and it has been greatly increased as compared to former figures.

Q. For instance take the case of the Judicial Department are you aware that in this department 5 Mohammedans who had just qualified for service in the Judicial Department were taken into service irrespective of seniority and several Mohammedans were sent to Europe and India for higher training for judicial service?

A. Yes, I am fully aware of all this improvement in the Judicial Department. The witness added that it is not in the Judicial Department alone but in other departments also that the number of Mohammedans has been increased. He quoted the instance of the Accounts Department, in which he stated, there was no Gazetted Mohammedan officer before but now there are or soon will be 3 Mohammedan Gazetted officers. All this has been done after the present Ruler became Maharaja.

NOTE.—The witness has promised to send a list of unemployed graduates, under-graduates and matriculates who are Mohammedans.

(Sd.) GHULAM MUISTFA.

Certified that the above statement was read over to the witness and that it was admitted correct by him.

(Sd.) RAM NATH SHARMA,

4th September 1931. *Secretary Enquiry Commission.*

WITNESS No. 73.

Rai Bahadur Thakur Major General Janak Singh Ji, Bahadur, Revenue Minister, on S. A.

24th August 1931.

Q. You have given it as your opinion that one cause is the appreciation of the disadvantage as to the representation in the public service.

You know that only recently Mohammedan representation in the services has been greatly increasing the purpose?

A. Yes. That is so certainly.

The feelings of the Mohammedans would have been assuaged in course of time if they had waited for the fruition of this policy.

Q. Practically what you mean is that the disturbance is mostly due to very violent propaganda by the educated Muslim party. Had the Government any counter-propaganda?

A. There was no organized counter-propaganda counter-acting these movements. Individual members of the Government had explained the policy of the Government on various occasions.

Q. Did you have any gatherings of tenants to explain to them the advantages of the Agriculturists Relief Regulation?

A. I individually as Revenue Minister did what I could. I myself thought that necessary after my return from service in Poonch about three years ago. During my tour in various Tehsils I explained to large masses of agriculturists the advantages that had accrued to them from this Relief Regulation. On my return from tour I reported to His Highness the Maharaja Bahadar that people had expressed their gratefulness.

Q. Have you formed any idea why inspite of such relief measures and benefits, the young leaders have been able to excite the masses?

A. In my opinion, the Vernacular Paper 'Inqilab' was given a long rope to spread poison.

I am afraid that the unfortunate happenings of the two incidents I have mentioned in paragraphs 10 and 11 of my statement arrived at the psychological movement to enable the youngmen to mix their discourse on politics with religion and through religion to influence the masses.

Q. Mr. Wakefield has given us his report on his enquiry of "Tohin-in-Quran", what steps were taken to inform the large masses directly of this enquiry and report ?

A. An attempt was made to reach the masses and to explain to them the result of the enquiry through the local Mir Waizes.

Q. Was the result of the enquiry accepted by the Mohammedans in your opinion?

A. The Mir Waizes appeared to be satisfied and it was hoped that they will satisfy the masses. Obviously however the result was not satisfactory. When questioned by the Chairman whether in the opinion of the witness the Mir Waizes had been acting straight the witness was unable to give any opinion on the subject because he had not heard what the Mir Waizes had stated to the masses. He could only judge by the result which was not satisfactory.

Q. You know of the rule made by His Highness the Maharaja Bahadur that employment in the State service should be reserved to hereditary State subjects ?

A. Yes.

Q. In your opinion, is this rule satisfactory to Mohammedans or not ?

A. The rule in the abstract is salutory, but naturally the less educated community would feel apprehension that in the race for employment they would be left behind. The witness had been informed that so far as the Chairman's information goes, there are about 850 Hindus un-

employed matriculates and graduates in Kashmir as against 40 to 50 unemployed Mohammedan matriculates and graduates.

Q. In a question put to you by the Chairman you referred to the character of masses being changed by the young Mohammedans. By masses do you mean masses in general or inhabitants of the large cities of Jammu and Srinagar.

A. Particularly I meant the inhabitants of the large cities.

Q. Do you think that the Government is justified in going so far as to allow Mohammedans from outside to come into State service in order to make up the deficiency amongst the Mohammedan subjects of His Highness in the State service ?

A. This may possibly have been done in the past say some ten years ago. It cannot be allowed now. It would be foolish now on the part of the Government to accede to such a request as all agitation and propaganda are being carried on by Mohammedans outside the State.

Q. Suppose the Commission comes to the conclusion that the rule may be relaxed in case of Mohammedans, do you think it should be equally relaxed in the case of Hindus ?

A. In such a case, I think, both should be treated equally.

The witness further added that the Chairman himself is a Member of the Recruiting Board and must be aware of the attempts made by the Recruiting Board to equalize the appointments of communities in the services under the orders of His Highness as regards the selection for appointment. To quote a recent case a Mohammedan who had only the B. A. qualification was selected for higher engineering education inpreference to a Hindu who was an M.A. The Board was particularly constituted in order not to leave selection of candidates to Heads of Departments but to make an attempt at proper representation of communities in the Civil Services.

Q. You are President of the Board. Do you think that this aim is persistently being kept in view by the Board ?

A. Yes, I think so.

Q. Were you in charge of the Army during the riots, I mean on the 13th of July and on subsequent days ?

A. No. The witness added that he had to put on his uniform as a matter of etiquette under His Highness' orders.

Q. Did you go with Colonel Sutherland for inspection of certain parts of the city, that is to say, on the day after the firing at the Jail ?

A. No. I went to inspect the city on the 15th of July.

Q. Do you know that during the first two or three days of the riots, soldiers were allowed to make house searches in the various parts of the city ?

A. I was not in charge of the Army. I do not know that.

The witness added that on the 15th of July when he went to inspect the city with Brigadier Sutherland and Colonel Nawab Khusru Jung, it was in Chattabal that two Hindu shop-keepers reported that their shops had been looted. They also reported that some of the stolen property was inside a house where certain people had concealed themselves. The door of the house was bolted and it was at that time that some soldiers were sent inside the house to find out if any man were concealed in the house. No house searches were made by the soldiers at that time.

Q. Under whose orders was this done ?

A. Brigadier Sutherland's.

(Sd.) JANAK SINGH,
REVENUE MINISTER,
His Highness' Government, Jammu & Kashmir.

Certified that the above statement was read over to the witness and was admitted correct by him.

4th September 1931.

(Sd.) RAM NATH SHARMA,
Secretary Enquiry Commission.

WITNESS No. 74.

Ahmad Bat, Jail clerk, on S. A.

24th August 1931.

This is my written statement (Ex. 88).

Q. What is your business in the Jail ?

A. I am a clerk in the office doing one particular job that of noting down remission of sentences.

Q. Were you on the other side of the gate when the iron gate of the Jail was shaken by the crowd ?

A. No, I was at the *daftar* (office). The office is upstairs. I looked from upstairs from the window and saw the crowd shaking the iron gate.

Q. Do you remember whom the Governor ordered the Policemen to arrest ?

A. The Governor ordered that those men should be arrested who made an attack on the iron gate. There were more men still remaining in the compound towards where the Darogha lives and towards the quarters which are known as the civil ward. Those men were arrested first. After this the Policemen went outside the compound. When they went outside they were at a distance from me and I could not see clearly. But I did see that some men were brought in.

Q. Do you remember a Head-constable being brought into the Jail wounded ?

A. I cannot tell whether he was a Head-constable or a constable. He was a Policeman. I remember a Policeman being brought in wounded.

Q. Was that before or after the firing ?

A. This Policeman was brought in after the firing.

Q. Was the firing completely over when the Policeman was brought in ?

A. No. There were two firing. I think that the Policeman was brought in after the first firing.

Q. Have you any idea of time. Can you fix the time when the firing started?

A. No. I cannot fix the time. The clock is kept down-stairs in the *deorhi* and not upstairs in the office. Possibly the time was about 2 p. m. or 2-30 p. m.

Q. When did you hear at the Jail of the loot in the city? Or did you not hear about it at all when you were at the Jail?

A. I always live at the Jail because my house is far away. I do not go to my house after work. I heard of the loot at about 6 p. m. at the Jail.

Q. Did you hear at the time when the crowd came to the iron gate of the Jail that any *kunda* of the gate had been broken as a result of the attack made by the crowd on the gate?

A. No. I did not hear of any *kunda* being broken at the time. Witness then added that I afterwards heard that a *kunda* of the iron gate had been broken but that had been broken before the crowd came to the iron gate.

Q. You have stated that after the crowd had been turned out of the compound they went to the almond grove towards the east from where they began to move (log jane lage). What did you mean by this? Do you mean that they were going away towards their homes or they were going towards some other direction of the Jail?

A. I meant that the people who were collected in the grove began to move towards the Dal. As a man stood on the wall and shouted *Azan* very loudly what I gathered was that these men were going towards the Dal for *wazu*.

Q. Did you hear any announcement being made by any officer to the crowd that they formed an unlawful assembly and that they would be fired at if they did not disperse?

A. I did not hear any such announcement being made.

Q. Was any Lathi charge made by the Police before the firing was made.

A. No.

Q. Where were you at the time of the firing?

A. I was on the top room.

Q. Did you see anybody being killed or wounded as the result of the firing?

A. No.

(Sd.) AHMAD BAT,

Jail Clerk.

Certified that the above statement was read over to the witness and was admitted correct by him.

(Sd.) RAM NATH SHARMA,

10th August 1931.

Secretary Enquiry Commission.

WITNESS No. 75.

Sikandar Beg, Jamadar Jail, on S. A.

24th August 1931.

This is my written statement (Ex. 89).

There is another statement of mine which has not been sent to Court by the Jail Superintendent, that is in regard to the *kunda*.

Q. What do you know about that?

A. At 12-15 p. m. when I was preparing to go out of the Jail Ali Sheikh Darban told me that one of the sockets had been broken. I told him to report the matter to the Deputy Jailor as I was going to have my meal. As there was a crowd outside I deputed four Barkandas on duty inside the compound outside the iron gate. I then went away.

Q. When did you return to the Jail?

A. I returned at about 1 p. m. and the Sessions Judge arrived afterwards. When the Sessions Judge arrived I was in the *deorhi*. I was in the *deorhi* when the crowd shook the iron gate.

Q. Did you come back after locking up the prisoners during the riot?

A. No. The riot was over and firing had taken place before I returned. It took me two hours to lock up the prisoners.

Q. Why did the crowd shake the iron gate of the Jail? Did they say anything at the time when they shook the gate?

A. Yes. They were saying that they wanted to go inside the Jail just to attend the trial of Abdul Qadeer.

Q. How many people shook the iron gate and for how long?

A. There were about 15 or 20 people who shook the gate and I saw them for about 3 minutes when I went inside the Jail.

(Sd.) SIKANDAR BEG,

Jamadar Jail.

Certified that the above statement was read over to the witness and was admitted correct by him.

(Sd.) RAM NATH SHARMA,

Secretary Enquiry Commission.

WITNESS No. 47 (*recalled*).

Dr. Abdul Wahid.

24th August 1931.

The witness produced a number of Vernacular and English Hindu papers to expose the attitude of the Hindus to the Commission. He wanted to show that the Hindu papers wrote in a way to excite the

feelings of Hindus against the Mohammedans and yet these papers were not proscribed.

One of the Commissioners who is well acquainted with Urdu observed at the conclusion of the reading over of the written statement that so far as he could make out the witness has not one good word to say about the Hindus in his written statement.

Q. How in your opinion the Mohammedans have shown the gratefulness to His Highness the Maharaja Bahadur for his actions, which you yourself admit, were to the benefit of the Mohammedans?

A. The Mohammedans expressed their gratefulness in every way by holding meetings and by writing in papers.

Q. In your long dissertation you have not given any kind of concrete scheme by which more Mohammedans may be educated or more Mohammedans employed in Government service. Have you any idea of the great disparity of Hindu and Mohammedan educated men in Kashmir?

A. I did not come with any scheme. I merely reviewed the situation. The witness suggested that the grant-in-aid to the Islamia schools may be increased.

Q. What is your idea at present? The Chairman assured the witness that even if every one of the unemployed matriculate, under-graduate and graduate Mohammedans were employed in service at once, there will be a far larger proportion of Hindus in service. How does the witness propose to remedy that?

A. There should be a fixed proportion of Mohammedans to be employed in Government service and if the number of educated Mohammedans is not sufficient to make up that proportoin, outside Mohammedans may be imported.

I approve of the principle of the employment of hereditary State subjects in Government service, but as it is not possible to find residential Mohammedans in that proportion, for employment I am of the opinion, that until there are sufficient residential Mohammedans outsiders may be imported.

As the number of educated Hindus is sufficient to fill the posts the educated Hindu State subjects only may be employed. It will not be found necessary to call Hindus from outside in the State service. All this is necessary while the present communal disagreement continues. Once there are an amicable relation between the two communities no attention will be paid whether an employee is a Hindu or a Mohammedan.

The witness added the State should start Trade and Commerce, Workshops and Mills, so that people who are unemployed may not be dependent entirely on public service for maintenance.

Q. It has been stated before us that there are over 850 educated Hindus, matriculates, under-graduates and graduates and against that there are only about 50 to 60 Mohammedans of the same standard of education. Have you any idea that there may be more Mohammedans?

A. I believe that there may be hundreds of matriculates. I have however no idea on the subject as I have made no enquiry in the matter. I can find it out.

NOTE.—The Chairman stated that Mohammedans have like you put in long complaints to the Commission but have not helped the Commission by any specific statistical information or by any specific suggestions as to the improvement of the present alleged depression of Mohammedans.

Q. One of your charges against Hindus is that they become jealous and intolerant as soon as Mohammedans started education. Do you know that a Hindu Institution supports three Mohammedan Girl Schools ?

A. I have no knowledge. I am not aware of such Mohammedan schools being supported by Hindus. If these schools are supported by the Women's Welfare Association, I may say that it is supported by the Government. I have no knowledge about the Mohammedan Girl School, Muslim Girl School, and Islamia Girl School in Srinagar.

Q. Do you know what the suggestions of Sir Albion Banerji were, you say, were not adopted ?

A. These suggestions were confidential. So I could not learn what these suggestions were. I have got a cutting from Sir Albion Banerji's interview which he gave to a press representative. The suggestions made therein were general and were not confined to the betterment of Mohammedans only.

Q. Do you know whether Rajput Military School was started by His Highness or by Government ? (The President asked this question because the witness tried to rub in his conclusion that His Highness tried to do his best to improve the condition of Mohammedans but the Ministers came in the way and spoiled his good intentions)?

A. It is a secret matter of Government. I cannot tell whether the start was made by His Highness and rules framed by him or it was the doing of Government.

Q. Do you know anything about Y. M. M. A. ?

A. The Association is in Jammu so I know nothing about it. I am not a member of that association. I am not a member of any association, not even any association in Srinagar.

Q. Have you any personal grievances against the Government. I do not want to hurt your feelings but I should like to know why you left service in the State ?

A. I have no grievance against the Government. At one time there was one Mohan Lal, C. M. O., in Kashmir whose principles and methods I did not like. On my return from Bombay, where I was sent for further training, I was going to be appointed on a higher post in the Srinagar Municipality. As, however, my relation with the C. M. O. were strained, I was not able to get the higher job as a result of which I was dismissed. I have got no grievance against the person of His Highness or against the Government.

(Sd.) Dr. ABDUL WAHID.

Certified that the above statement was read over to the witness and was admitted correct by him.

(Sd.) RAM NATH SHARMA,

10th September 1931. *Secretary Enquiry Commission.*

WITNESS No. 77.

Sardar Hira Singh, Post Master Srinagar, on S. A.

25th August 1931.

This is my written statement (Ex. 92).

Q. Where is your post-office situated ?

A. My post-office is situated at the Bund. It is the General Post Office.

Q. You heard of all these details from the persons who were attacked and injured. Did they give their written statements ?

A. Yes. They gave their written statements.

Q. What was the greatest injury you noticed ?

A. Sarvanand packer was injured on the head. Aftab Koul Jan was also injured on the head.

Q. Did any of these lose any Government property or letters.

A. Sarvanand packer was off duty and was returning home and the other man also did not lose any Government property.

Q. Who is the Sub-Postmaster of Maharajganj?

A. He is a Mohammedan gentleman. I do not remember his name now.

Q. Is post-office of yours a British Institution?

A. Yes. The State has no control over it.

Q. For convenience sake I would divide your staff into two parts. I would call them clerks and menials, how many clerks have you got?

A. 36.

Q. And how many menials?

A. Say about 60.

Q. Out of 36 clerks please can you tell me how many are Kashmiri Pandits and how many Mohammedans ?

A. Four or five are Mohammedans and the rest are Kashmiri Pandits.

Q. I want the same information as regards menials ?

A. One postman is Mohammedan out of 30 the others being Kashmiri Pandits. Out of the coolies 4 are Pandits, one is Sikh and 5 are Mohammedans.

Q. Can you tell me who makes these appointments ?

A. The clerks are appointed by the Superintendent and the menials by the Post-master.

Q. Are you a Kashmiri or a State subject ?

A. No.

Q. During the last few years has any Pandit been Post-master here ?

A. No, we have a Deputy Post-master who is a Mohammedan and a State subject. He, however, makes no appointments.

Q. Has a Kashmiri ever been a Superintendent of Post Offices in Srinagar ?

A. No, they have been Europeans as a rule. For a short time, say a month, a Mohammedan gentleman came who is a British subject.

Q. When did you receive the first information about the attack on the Sub-Post-office at Maharajganj ?

A. About 5 p. m. on the 13th July.

Q. Were you informed of the exact time when the attack was made ?

A. No, exact time was communicated to me.

Q. Was there any loss in that post-office ?

A. No. The Post-master and the Postmen shut the doors and hid themselves inside. In any case no loss of any kind took place.

(Sd.) HIRA SINGH,

Postmaster Srinagar.

Certified that the above statement was read over to the witness and was admitted correct by him.

(Sd.) RAM NATH SHARMA,

15th August 1931. *Secretary Enquiry Commission.*

WITNESS No. 78.

Dr. Ghulam Ali, S. A. S., on S. A.

This is my written statement (Ex. 93).

Q. Where were you injured ?

A. On the back.

Q. Did you have yourself treated ?

A. I applied some iodine.

Q. Did you have the iodine applied in the City Dispensary ?

A. Yes.

Q. Did you discover who the Mohammedan was whom you saw being beaten?

A. No.

Q. Has Qadar Zaz who is your neighbour got his shop at his house?

A. No.

Q. Then what had he in his house worth Rs. 2,000.

A. He had cash.

Q. What was the time when the Military as you allege entered Qadir Zaz's house ?

A. Time was about 7 p. m.

Q. Who was the other man whose house the Military entered ?

A. Aziz Ahangar.

Q. You say that Military brought out two men under arrest from the house ?

A. Yes.

Q. Can you tell who these Military men were ?

A. No.

Q. Can you tell to which regiment they belonged ?

A. No.

Q. When the Military entered Qadir Zaz's house and the Ahangar's house were there any Policemen present?

A. No.

Q. How do you know that the *naara* was called by a Pandit?

A. I know because no Mohammedan live in that locality.

Q. When you were not deceived and knew well that a Pandit had shouted the *naara*, how were the other Mohammedans expected to be deceived ?

A. I did not say anybody was deceived.

Q. When you say that nobody was deceived, I gather there was no probability of deception so why should the Pandits have practised such a deception ?

A. Possibly the Mohammedans on the other side about 100 yards away from where the shouting was might have been deceived.

Q. Did you make any report to any superior officer of what you had witnessed on the 14th or 15th ?

A. When I returned from the City Dispensary I spoke about it to Dr. Bhalla. I submitted no written report.

Q. I take it you are a true Kashmiri ?

A. Yes, I am a hereditary State Subject.

Q. How long have you been in service ?

A. Ten years.

(Sd.) Dr. GHULAM ALI.

Certified that the above statement was read over to the witness and was admitted correct by him.

(Sd.) RAM NATH SHARMA,

10th September 1931.

Secretary Enquiry Commission.

WITNESS No. 79.

Dr. Dev Koul, Private Practitioner, on S. A.

Q. Is this your written statement?

A. Yes. This is my written statement (Ex. 94).

Q. By confining appointments to State subjects who were benefitted by it, Hindus or Mohammedans?

A. Both gained by this order.

Q. I put it to you, do the Hindus gain by it because they are more educated?

A. I admit that Hindus do benefit to a large extent that is not the point I want to make in this paragraph. The point I want to make comes later on where I say that outsiders were prevented from owning and possessing property in the State. By outsiders leaving the State the population of Hindus has decreased.

Q. Have you any statistics of the population?

A. I have no statistics on the subject. I merely state by inference.

Q. You state on page that the underlying idea in this is to divide Hindus?

A. Yes. When the outside Hindus were turned away a division arose between the outside Hindus and the Hindus here.

Q. Are you a hereditary State subject?

A. Yes.

Q. Then your idea is that outsiders may feed on the country and the local men may go hungry?

A. I do not mean that I am thinking of the ownership of the property.

Q. Do you want that the present restriction excluding non-State subjects from the employment and the possession of ownership property may be removed?

A. What I want is that the restriction excluding non-State subjects in entering into Government service should remain as it is but non-State subjects should be permitted to acquire landed property in the State.

Q. I suppose your principle is that it affects commerce and trade?

A. Yes. Such is my principle. It affects commerce and trade.

Q. How does this feature affect commerce?

A. Trade and commerce do suffer because those who come here for trade and commerce are not able to acquire landed property.

Q. Your other contention is that those who had property sold their property and went away?

A. Those people sold their property and went away because they saw that they could not obtain any service here.

Q. Your explanation also is that the value of the property would be reduced by outsiders not being able to purchase the property here and

for fear of such reduction in the value of the property they sold their property ?

A. Yes.

Q. You have made a lot of complaint against Mr. Wakefield. Is there any reason why he should be responsible for everything?

A. All these events happened after Mr. Wakefield came in State service.

Q. May I put it to you that Mr. Wakefield finding the Mohammedans suffering disabilities tried to help them ?

A. That may be alright. I have no objection to his helping the Mohammedans but he should not have injured the Hindus.

Q. Does it not naturally follow that Hindus, as a matter of fact, would be injured as justice would require larger engagement of Mohammedans in service ?

A. The Mohammedans should not be given place without merit. The Hindus were not favoured in any way. They received jobs only through merit.

The Chairman observed that if the witness was expressing the opinion of Hindus in general, there was in the opinion of the Chairman no prospect whatsoever of Hindu and Mohammedan amity.

Q. Do I understand you to advocate the entire exclusion of less qualified Mohammedans from State service which in the Valley, according to you has been manned by the Kashmiri Pandits ?

A. Yes. What I mean is that merit should be the criterion of entering into public service. If a backward community is to be helped on account of its religion, then I claim that we Pandits should also be given concessions in various spheres of life which have hitherto been the monopoly of the Mohammedans.

Q. I put it to you that the security of property Hindu residents of the State did not lie in their being allowed to part with their property to non-State subjects. It was explained to the witness that the security of the owners of land does not lie in their ability to part with the land to other people ?

A. The witness replied that with this restriction there was no competition in regard to the disposal of landed property the value of which naturally depreciated. The witness added that at the time the restriction was issued a large portion of the landed property was possessed by the Hindus and the restriction resulted in the depreciation of the value of the landed property in the State. The restriction injured the Hindus financially. The witness added that that restriction also entailed a numerical loss to the Hindus as with that restriction in regard to the purchase of landed property, the Hindus from outside stopped coming to the State and that is how the numerical strength of the Hindus in the State decreased.

Q. As regards the decrease in the numerical strength of the Hindus how do you say that with the restriction coming into force the number of Hindus, who would have otherwise come to the State and acquired property, decreased ? How do you know that the prospective purchasers would have been Hindus and not Mohammedans ?

A. As at time the restriction came into force the outsiders who generally purchased property in the State were mostly Hindus it is on the basis of that experience that this statement has been made.

Q. You objected to certain appointments being advertised for Mohammedans only. Do you know that such an advertisement was subsequently cancelled ?

A. Yes. I know that it was cancelled.

Q. If it was cancelled why do you make a grievance of it ?

A. I make a grievance that it was advertised at all.

The witness was told that the grievance regarding dismissal from State service of Pt. Sona Koul was baseless. Pt. Sona Koul was dismissed on a charge of bribery. His house was inspected by a Committee and it was found that he could not have built such a house from out of the savings from his pay and a *prima facie* case being against him he was dismissed on the charge of bribery.

Q. You object to scholarships being given to Mohammedans. Do you know that Mohammedans are backward in education and their population enormously larger than of Hindus ?

A. I do not object, on principle, if they are helped in education as a backward class, Hindus should be helped in other matters in which they are backward.

Q. How did Hindus suffer by rules regarding *Shamilat-i-Deh* and timber which was given to Zamindars free ?

A. The Hindus did not suffer but I merely pointed out that Mohammedans were favoured.

Q. Why do you object to Brahmins and Rajputs being hanged for murder ?

A. That is not my object. What I desire to point out is that death sentence is being done away with by other countries and should be done away with here also instead of depriving certain communities of the privilege they enjoyed.

Q. Who tells you the secrets of the Cabinet mentioned on page ?

A. I heard these from those who were oppressed by the man I mean Khan Abdul Majid Khan.

Q. As regards Abdul Majid, Superintendent Fire Brigade, how do you know that he was favoured ? Did he not receive proper training at Bombay ?

A. Yes. I know but it would have been possible to give the same training to a more senior man.

Q. How do you know that Abdul Majid was not the senior man at the time of his selection for trining at Bombay ?

A. I know that he was a junior man.

The Chairman suggested that the witness was probably not desirous of the beauty of the city that he objects to the construction of the Boulevard Road. In reply he says that it is not the point. He objects on the expenditure thereon and adds that if there is beauty in the Boulevard Road there is no beauty in the ditches dug near about it *i. e.*, on the hillside which have not been filled and there is no likelihood of their being filled up soon. These ditches do not add to the beauty of the place but have created a nuisance.

Q. Are you a Doctor ?

A. Yes.

Q. Do you know any reason why Doctors should be particularly prejudiced ?

A. No.

Q. Do you know Dr. Abdul Wahid ?

A. Yes.

Q. After meeting Dr. Abdul Wahid do you only turn your head or do you also have a bath after going home ?

A. Nothing of the sort happens. We are great friends and we shake hands when we meet.

Q. How many high floods have you seen ?

A. Four.

Q. How many before Mr. Wakefield came in the State ?

A. One.

Q. Are you a qualified Doctor ?

A. Yes.

Q. When did you get your degree ?

A. I got my degree of L. M. P. in 1918.

Q. Were you ever a State servant ?

A. Yes.

Q. When did you cease to be in State service ?

A. About five years ago ?

Q. Were you dismissed from service ?

A. No, I was transferred outside the city, I did not like to go outside the city and so I resigned my post.

Q. How far is your shop from Doctor Abdul Wahid's shop in Maharajganj ?

A. It is about 100 yards. I cannot say exactly.

Q. You have stated in your written statement that certain scholarships were given to Mohammedans in 1928 and 1929. Were those scholarships given exclusively by Mr. Wakefield or by the Scholarship Selection Board ?

A. These scholarships were given by the Scholarship Selection Board but were given to Mohammedans without any competitive examination or any competition of any sort.

Q. When you say that scholarships were given by the Scholarship Selection Board why do you blame Mr. Wakefield alone for the grant of those scholarships ?

A. As Mr. Wakefiled always favoured the Mohammedans so other people also followed the same trend.

Q. Do you mean to say that the other members of the Scholarship Selection Board were influenced by Mr. Wakefield in the matter of grant of these scholarships ?

A. Probably.

Q. You have no exact knowledge ?

A. My knowledge is inferential knowledge.

Q. Do you think it is fair as a gentleman to blame anybody on the basis of inferential knowledge alone in the absence of any exact knowledge ?

A. Though I have no exact knowledge but keeping in view the other circumstances relating to Mr. Wakefield I think that it must be true that Mr. Wakefield alone must be responsible for the grant of these scholaraships to Mohammedans in 1928 and 1929.

Q. You have stated in your written statement among other complaints against Mr. Wakefield that he was responsible for the withdrawal of the concession of exemption from the punishment of capital sentence of Brahmans and Rajputs in the State. Do you know as a matter of fact that the concession referred to above was withdrawn at the instance of Mr. Wakefield ?

A. I have narrated this incident in the list of things which took place in the time of Mr. Wakefield and I call him responsible for this action also.

Q. Have you any reason for that ?

A. Yes, my reason is that as Mr. Wakefield showed favour to Mohammedans and Mohammedans alone he must be responsible for the withdrawal of that concession also which was formerly enjoyed by Brahmans and Rajputs.

Q. Where were you on the 13th of July, the day of the riots ?

A. I was in Srinagar.

Q. Were you in your shop at Maharajganj from 12 noon to 4 p. m. ?

A. No.

Q. Who remained at the shop during your absence ?

A. One of my compounders of the name of Pandit Raghu Nath and the Manager of my dispensaries remained at the shop. His name is Pandit Dina Nath.

Q. When did yon come to your shop that day ?

A. I reached there at 6 p. m. on the 13th July.

Q. Were you informed at that time that some wounded persons had been brought to your dispensary during your absence and your compunder refused to treat them ?

A. No. I did not receive any such information. The witness added that his compounder does not treat anybody.

Q. What was the condition of the shop when you arrived there ?

A. It had been looted completely.

Q. Were you informed at what time the shop was looted ?

A. It was about 2 p. m.

Q. Were you informed that your shop was the very first shop in that bazar that was looted ?

A. Yes, it was the first shop that was looted in the bazar.

The witness added that on that side of the bazar the loot started from his shop.

Q. What was the value of the property looted in your shop?

A. It cannot be stated exactly but the loss must be some where between three thousand and three thousand and five hundred.

Q. You have stated in your written statement that on the outbreak of the riots there was delay in the arrival of the troops on the scene of the action and you have attributed this delay also to Mr. Wakefield. What reason have you for that?

A. My reason is that Mr. Wakefield was the Army Minister at the time and there was general belief among the people that there had been some delay in the arrival of the troops in the city. I have no exact proof to show that the despatch of troops was deliberately delayed by Mr. Wakefield.

(Sd.) Dr. DEV KAUL.

Certified that the above statement was read over to the witness and was admitted correct by him.

(Sd.) RAM NATH SHARMA,

14th September 1931. *Secretary Enquiry Commission.*

WITNESS No. 80.

Pandit Jia Lal Koul, Professor S. P. College, on S. A.

This is my written statement (Ex. 95).

Q. Are you in State service?

A. Yes.

Q. What service are you in?

A. I am a lecturer in S. P. College.

Q. What subjects do you teach?

A. I teach English.

Q. The Chairman said that after listening to the statement of the witness he got the impression that according to witness force is a remedy?

A. I do not consider force to be the only remedy and the whole remedy. I consider that law and order should be maintained.

Q. Don't you think that in British India *vis a vis* the British you will have a different opinion?

A. No. I should say the same thing in British India. In my opinion *Goondas* take predominent part in riots and they should be suppressed.

Q. You do not seem to think that Mohammedans being in large majority in the State and in very large majority in Kashmir and backward in education deserve special consideration?

A. The Hindus have never made a communal cause of it when special consideration has been shown to Mohammedans in the grant of scholarships and the grant of public appointments. What the Pandits resent is to make a division of appointments on the communal basis particularly to disqualify a Pandit from emyloyment because he is a Pandit. The witness quoted the case of employment in the Games Preservation Department.

Q. Don't you think in such a department on communal qualifications a Mohammedan may be preferred to a Pandit?

A. Dina Nath, who is now in the Traffic Department, was strong and well-built. It was said that he had been recommended by the Head of the Department and still he was not selected because he happened to be a Pandit. At the same time the witness added that he did not know the exact particulars.

Q. Have you seen the file on the subject?

A. No, I have seen a report in a newspaper.

Q. You generally believe reports in newspapers?

A. It is not that, I had the report verified.

Q. As regards Hindus serving under Mohammedan traders it was explained to us that the connection has been ancestral and that is why Mohammedans are not employed and not because Mohammedan clerks are not available?

A. This is not correct. This ancestral connection may be in a few cases. It is not true as regards other cases where Hindu clerks have been newly employed by Mohammedan traders.

Q. How do you know that the Accountant General advertised for Mohammedan graduates for his office but failed to receive a single application?

A. That was generally said last year. When the Chairman asked for particulars the witness desired the Chairman to verify the statement. The Chairman, however, expects witnesses to state duly verified facts before him and not expect the Chairman to verify allegations made by witnesses.

Q. You say that the attack on the Hindus in Kashmir was wholly unprovoked. I put it to you that the Mohammedans dissatisfied with the Government considered the Hindus to be the instrument of the Government and therefore may have attacked the Hindus. Is not that possible?

A. What I mean is that the Hindus did not give any personal provocation. The view is quite correct that the Mohammedans dissatisfied with the Government took revenge on Hindus as being in power in Government.

Q. You are an educated man though not old in years. You must have read a great deal. Do you really believe that an entirely outside agitation and outside propaganda can stir people where no local grievance exists?

A. Such a thing may happen for the moment but will not be permanent. The masses have been wrongly prejudiced against the Hindus by mixing up religion with politics and alleging that Mohammedan scriptures were desicrated by Hindus. The Pandits respect the scriptures of all communities. I mean to say such is the case with all Hindus besides Pandits. They respect all other religions and the scriptures of all other religions.

Q. On page you complain of the supineness of the authorities in not enforcing law and order. Possibly you mean that every kind of agitation should be knocked on the head immediately and people put into Jail ?

A. I do not mean that way. I am not against freedom of platform and press. There are certain regulations on the Statute Book. If they are there they should be enforced. There is no reason why they are enforced against Hindus like the dissolution of the Dogra Sabha and not enforced against Mohammedan Associations. The Ranbir paper was closed down when at most a warning would have sufficed. The Dogra Sabha was not a communal association. Both Hindus and Mohammedans were its members; Mohammedans were even asked to perside at meetings.

Q. In judging methods of Government you realise that you are 5 per cent. of the population and the Mohammedans are 95 per cent. ?

A. That is why I desire that Government should not be based on religious considerations but on considerations of equity.

Q. You don't think that special considerations should be paid for large uneducated communities to receive special favour for employment ? In the opinion of the Chairman after hearing the evidence for over three weeks the whole dispute between the communities is over jobs.

A. If proper statistics are taken it will be found that there is no great unemployment among educated Mohammedans and that cannot be a grievance.

Q. The Chairman grants that this is a clever answer but it does not meet the point raised by the Chairman. What the Mohammedan desire is not only the employment of the unemployed resident educated Mohammedans but also a voice in the Government and it has been stated before us that the Mohammedans desire for the purpose of having a voice in the Government that outside educated Mohammedans should be brought in when there are not sufficiently educated Mohammedans in the country to occupy posts.

A. I do not agree to the employment of Mohammedans from outside. That will be basing the State on theological grounds.

Q. Then how are you going to satisfy the desire of the Mohammedans for a large voice in the Government ?

A. A voice in the Government may be secured by the establishment of a Council or Assembly and in that also the franchise should not be on religious grounds but there should be one franchise for all and the Pandits will be prepared to have representation only according to that settlement of franchise which is common to all communities. If there is uniform franchise no religious question will arise and a Mohammedan may be elected by Hindus and *vice versa* such franchise is adopted in Municipalities and I remember that in my ward I tried my little bit for the election of a Mohammedan as member of the Municipality.

Q. At various places in your statement you make assertions from hearsay, for instance, on page you say that the authorities failed to take precautions against an unlawful development at the Jail where you say a large crowd was asked to assemble by Mohammedans, what grounds have you to say that such an order was given by the Mohammedan leaders?

A. I have personal knowledge of this fact.

On Sunday the 12th July I and others went to the Dal Lake. There was a *Chakdar* or some such person a Mohammedan dependent of

a friend of ours who also accompanied us. He told us that he had been to Maqdoom Sahib's Fair at Hazratbal on preceding Friday or Saturday and there he heard the leaders telling the Mohammedans to muster strong at the Jail on Monday. Other members of my Association had also similar information.

Q. Coming to page you have stated that disturbance and loot prevailed in Srinagar on 13th of July. Have you any information of complaints by Mohammedans of bad treatment by Hindus both beaten and looted?

A. I have not heard of any loot by the Hindus of Mohammedan houses or shops. All I heard was that in the street in which I live and where many Mohammedan houses are, one Mohammedan gentleman was talking to others that Military was dragging Hanjis out of the boats and treating them harshly and threatening them to produce looted property on the evening of the 13th of July. I also heard about Dr. Abdul Wahid being beaten.

Q. On page you say that the riot at the Jail and the loot were in pursuance of a pre-arranged programme. What have you to say against the theory that the Mohammedans fired upon at the Jail, lost control over themselves and returning from the Jail committed loot on the spur of the moment?

A. What I have written in the statement is a matter of inference drawn from these facts. The facts are that telephone wires were cut there. The rumours on previous day spoke of ominous happenings. The people who joined in the loot were not all who returned from the Jail. The stolen property has been recovered from the houses of people living in Ali Kadal also.

Q. What is your inference from that. When did Mohammedans other than those who had the provocation in the Jail join the loot?

A. I saw that the loot was a part of a pre-arranged plan.

Q. Have you any information that anybody belonging to Ali Kadal died as a result of firing at the Jail?

A. No.

The witness added that subsequently he came to know that one Khaliq Shora who was killed as a result of the firing at the Jail owned a shop in Maharajganj Bazar.

Q. How far is Ali Kadal from Maharajganj Bazar?

A. About two or three hundred yards.

The witness further added that another indication of pre-arranged programme was that Mohammedans wrote on the doors of the shops with charcoal that they were Mohammedan shops.

(Sd.) JIA LAL KOUL.

Certified that the above statement was read over to the witness and was admitted correct by him.

(Sd.) RAM NATH SHARMA,

27th August 1931.

Secretary Enquiry Commission.

WITNESS No. 81.

Mr. P. K. Wattal, M. A., Hon'ble Finance and Development Minister, on S. A.

27th August 1931.

Q. We know that you have no personal information about riots as to what happened during those days. We desire your opinion on one of the objects of the enquiry the circumstances which led to the recent disturbances. What in your opinion were those circumstances?

A. For some time there has been a great deal of unrest among Mohammedans in the State. I mean in both the Provinces—Kashmir and Jammu. In the first stage the grievances related to what they alleged to be the deliberate policy of Government of exclusion more or less of Mohammedans from employment in Government services. This feeling was first expressed in a collective manner in the memorial presented to the Viceroy, Lord Reading, when he came to Srinagar in 1924. In that memorial the argument was advanced that the employment of Mohammedans in State service should be on the basis of population, that is proportionate to the population. It should be realised that 95 per cent. of the population of Kashmir Province is Mohammedan. This question was examined by a Committee of Enquiry appointed by the State. The Committee consisted of 3 Members of Council, a European, a Mohammedan and Hindu. (NOTE.—The translation of the representation and the finding of the Committee are given as appendices to the written statement submitted in camera by Mr. Wakefield). The Mohammedans would have expected that some tangible action should have been taken in response to that representation. The Committee expressed a hope that as more Mohammedans got educated more of them would be employed in the public services. That expression of opinion did not satisfy the Mohammedans and furnished the basis for further agitation. The representation was made and also the report was submitted in the time of His late Highness. The witness emphasised that the views which he will give today will be his own personal views and not the views of His Highness' Government. The only practical action taken on the basis of the memorial was, as it appeared to Mohammedans that certain Mohammedans who submitted the memorial awarded punishment. This attitude of the Government was resented by the Kashmir Muslim Conference with head-quarters at Lahore, who took up the cause of the Mohammedans here in consequence.

Q. Then is it your opinion that the representation at that time was not engineered by the Kashmiri Muslim Conference?

A. I was not in the service of this Government at the time so I can only give hearsay information. I would not like to make any statement on that subject. No doubt it was said that the Kashmiri Muslim Conference had helped in the preparation of the representation by a Barrister.

Q. Are you aware of the facts that two of the most important signatories to the representation, that is, two Mir Waizes never appeared before the Commission though special facilities were given to them to come over even to Jammu.

A. I am aware of that.

Soon after His Highness' accession to the *Gaddi* a deputation from Kashmiri Muslim Conference submitted to the Government that they desired to wait upon His Highness with a schedule of their grievances. This was in the early part of 1926. In this petition they particu-

larly wished to bring to his notice the severity with which the previous memorialists were dealt with. The reply sent, I believe over the signature of Mr. Wakefield, was that His Highness could not receive any address from a body of outside Mohammedans regarding the grievances of his own subjects when his own subjects had every opportunity to present their grievances to him direct at any time. This happened in 1926.

In January 1927 the definition of a hereditary State subject was fixed. Under the terms of that definition all Kashmiri Mohammedans domiciled in the Punjab were debarred from entry to State service or to hold immovable property as also the right to sell or transfer in any way immovable property already held by them to non-State subjects. This furnished further material for agitation.

Q. But this would apply equally to Hindus and Mohammedans?

A. It is true that Kashmiri Pandits domiciled outside were also excluded from services and suffered the same disability as to immovable property but my belief is that the Mohammedans felt this exclusion in a specially acute degree because, according to my belief, they thought that Kashmiri Mohammedans domiciled in the Punjab would sympathise with their aspirations more than any State subject Hindus would and local Mohammedans of requisite qualifications were not available in sufficient number to implement this policy of confining appointments in public services to hereditary State subjects, it became necessary to train the State subjects to occupy such posts. For this purpose a Scholarship Selection Board was constituted about March 1927. The immediate purpose of the Board was to award scholarships to State subjects for training in the higher branches of the service such as Engineering, Forest, Medical, etc; all those branches in which special training was necessary to hold the post efficiently. At that time the Government had no policy of representation of various communities in the public services. All that was aimed at was that hereditary State subjects whatever their community should be trained and made efficient for the purpose of holding higher posts. The test was personal merit and not a proper division among the communities. I would draw attention to the composition of the Scholarship Selection Board which was constituted at the time. Its members were Sir Albion Banerji, General Janak Singh and Mr. Wakefield. One member was a European, one a Hindu and the third a distinguished member of the Indian Civil Service who was neither a Hindu nor a Mohammedan (a Brahmo). There was no Mohammedan on the Board. It was with the object of keeping the Board small and compact that it was not found possible to include a Mohammedan among the members of the Board. There was no intention of purposely excluding a Mohammedan member. This exclusion all the same was regarded as a grievance by the Mohammedans at the time. What subsequently happened added point to their grievance. About 12 scholarships were advertised during the year 1927 of which 11 were awarded to Hindus and only one to a Mohammedan. I do not wish to imply any blame in making this statement to the Scholarship Selection Board. They were bound by the test of personal merit which was to be applied in making selections and no Board with that test in mind could have come to a different conclusion in making the recommendation which this Board did even if a Mohammedan had been a member of the Board. Out of the 11 scholarships awarded to Hindus 7 went to Kashmiri Pandits though there was not a single Kashmiri Pandit on the Board. This award was bitterly resented by the Mohammedan Associations both in Jammu and Srinagar, and several representations were addressed to His Highness, on the subject.

Q. Do you think that on the basis of communal selection less gifted Mohammedans could have been found at the time or was there an

entire absence of Mohammedan applicants?

A. I was not a member of the Board, so I can make no statement with certainty. It however, appears that even the 12th Mohammedan was selected not out of merit but in preference to better educated Hindus because the Board was alarmed at the very large proportion of Hindus selected and had to select a Mohammedan though on merit the 12th man selected ought also to have been a Hindu.

In 1928 His Highness had to proceed to England in connection with the work relating to the Indian States Committee and a Cabinet was formed to conduct the administration in his absence. There has been a convention which has always been respected that in the Government there should always be a Mohammedan Minister. The constitution of the Cabinet was criticised by the Mohammedans both in Jammu and Kashmir because there was no Mohammedan member in the Cabinet. Such satisfaction as was possible for them to derive may have been derived from the fact that the Secretary of the Cabinet was a Mohammedan.

Q Had the Secretary a voice in the Cabinet ?

A. I am not aware of that but I have heard that he had no such voice. He was not a member and Secretary as in the case of the later Cabinet.

His Highness returned from England in December 1928.

Q. Was there a Mohammedan Minister at the time when the Cabinet was appointed ?

A. There was a Mohammedan Minister but the Cabinet represented not only the Government but also His Highness himself.

While His Highness was in England he received a sort of ultimatum from Sir Albion Banerji. Sir Albion Banerji said that he was very dissatisfied with the existing system of administration and that His Highness must either appoint him his Chief Executive Agent (to use his own words). What he meant was that whatever was to go to His Highness must go through him or His Highness must accept his resignation.

Q. Why should such a contingency arise while His Highness was in England whereas it was not physically possible for Sir Albion Banerji to put up papers before His Highness ?

A. At the beginning he was under the impression that he was to be appointed as Chief Minister. He was called from England only for an interview but the interview was to be for appointment as Chief Minister. When he came here he discovered that His Highness had changed his mind and desired him to be Foreign Minister. When he discovered that he was to be only a Foreign Minister and there was another Minister-in-Waiting through whom alone he had to approach His Highness he did not reconcile himself to that position and officially protested against such a situation. So it was not a surprise to His Highness to receive the request in the form in which Sir Albion Banerji thought fit to present it while His Highness was in England. His Highness presented with these two alternatives decided to accept his resignation. I understand that Sir Albion Banerji got extremely bitter over his resignation being accepted.

Q. Did he retire before His Highness' return from England or after ?

A. He had to give six months' notice and as the letter was

submitted to His Highness in October he could not leave before March 1929.

(Sd.) P. K. WATTAL,

FINANCE AND DEVELOPMENT MINISTER,

His Highness' Government, Jammu and Kashmir.

Certified that the above statement was read over to the witness and was admitted correct by him.

21st August 1931.

(Sd.) RAM NATH SHARMA,

Secretary Enquiry Commission.

WITNESS No. 83.

Colonel Nawab Khusru Jung, Honourable Minister-in-Waiting, on S. A.

This is my written statement (Ex. 97).

Q. Was Brigadier Sutherland at the Karan Bagh at the time or was he sent for from his home ?

A. He was at Karan Bagh.

Q. You have stated about your going to Maharajganj first with a detachment. How many men were with you ?

A. About 30 of Cavalry.

Q. About what time did you reach Ramnivas from Karan Bagh ?

A. About 3 p. m.

Q. When did you first receive information of the loot at Maharajganj ?

A. It must have been soon after three. After going to Ramnivas I went home to change into uniform.

Q. I am asking this question particularly as no loot was going on when you reached Maharajganj ?

A. I must have reached Maharajganj about 4-15 p. m. It is true to say that there was no loot going on when I arrived.

Q. Where was this contingent waiting ?

A. It was at Ramnivas. It was a contingent of Palace Guards.

Q. Are the Palace Guard separate from the Body Guard Cavalry.

A. Yes, they are separate.

Q. Who had ordered the Palace Guards at Ramnivas ?

A. Order had been sent from Karan Bagh.

Q. From the signs you saw at Maharajganj were you satisfied that there had been a loot there or did you believe that it was a mere make-believe to make out an appearance of loot ?

A. No, I was satisfied that there had been loot at Maharajganj.

Q. Are you equally sure about the other places which you visited?

A. Yes. (NOTE.—The witness has not mentioned in his written statement the names of any localities which he passed through).

Q. Can you say particularly about any locality that there had been loot?

A. I was not well acquainted with the city and I cannot give the names of the different localities.

Q. Can you tell whether any localities between Maharajganj and Juma Masjid had been looted? Did you go direct from Maharajganj to Juma Masjid?

A. No, I did not go direct. I took a round about way just as people, that is Hindus, told me that such and such a place had been looted or such and such a place was looted. I came to Juma Masjid last.

Q. Did you think the places where the Hindus took you were really looted?

A. Wherever I did pass I think that the places pointed out to me were looted.

Q. When you went to Juma Masjid did you see where the dead bodies had received wounds?

A. They were all in the chest or thigh. All wounds were in the front.

Q. Did you uncover all the dead bodies and saw them?

A. Nearly all.

Q. Now we come to the incident of the 15th of July. About what time did you hear of it?

A. It must have been about 9 a. m. I went down alone in a car to the locality.

Q. Did you hold any investigation at the time?

A. No. While looking for the place I came across a funeral procession of a man who was killed. The procession had halted by the side of the road. I came across the procession near the Military picket.

Q. Do you remember there is a Police Station Tashwan there?

A. I am not quite certain.

While I was enquiring of the few men who had accompanied the dead body Brigadier Sutherland arrived.

Q. Did you ask any of them the circumstances under which the shooting had taken place?

A. No, I had no time to make any such enquiry. At that time I was trying to prevent them from taking the procession to Juma Masjid. In the meanwhile as Brigadier Sutherland arrived I left the matter of enquiry to him as he was in command of the Military.

Q. Did you go to the spot where the firing had taken place?

A. I did go there with the Brigadier.

Q. In your statement you say: "Telephone messages were received from Maharajganj that the Ganj had been looted." Does this refer to Karan Bagh or Ramnivas or both?

A. Ramnivas only. While I was away at my house changing, these messages were received.

Q. Did you receive any complaint of any Mohammedan house or shop having been looted that day?

A. No.

Q. Your written statement leaves the impression, though it must be owing to a lapse, that you afforded no medical relief to the wounded persons in the Juma Masjid? I take it that it has been left out?

A. As soon as I came back to Ramnivas I did send medical relief. I phoned to the Chief Medical Officer to get in touch with Mr. Abdul Qadir, retired Military Medical Officer, and asked him to send medical aid to the Juma Masjid.

Q. I take it that the present title of Colonel which you are holding is an honorary one. Have you ever been a commissioned soldier?

A. I have been in command of a regiment.

Q. You say you went twice on duty under orders and twice you went to tour the city. From what you saw of the army did you find their behaviour all right?

A. Yes, quite.

Q. There have been complaints about the behaviour of some soldiers. But if I were to tell you that Brigadier Sutherland has described that the behaviour of the soldiers occupying the city has throughout been examplary, would you agree with it?

A. Yes. I know there have been complaints but I am no witness of any.

Q. Did any responsible officer of His Highness' Government ever bring to your notice any specific act of misbehaviour of any soldier, or soldiers?

A. No, but the Mohammedan representatives mentioned it.

Q. In the same connection do you remember Khawaja Salam Shah, Wazir Wazarat, having informed you four or five days after the riot that he himself saw the Mohammedans having been mercilessly beaten by the Military soldiers near the Amira Kadal Bazar?

A. I remember he having spoken to me about this first in the course of the conversation but it was not in the form of a regular report.

Q. When you first arrived at the Maharajganj Bazar on the 13th of July, had you seen any Policemen there?

A. I do not remember having seen any Policemen there at the time.

Q. You have already stated that on the 13th of July you did not receive any complaint about Mohammedan shops being looted, did you receive any such complaint on any subsequent days?

A. I did net receive any such complaint from the persons concerned but I did receive complaints from the Mohammedan representatives subsequently met.

Q. Are you aware of any house searches being made by the Military people during the first two or three days of the riot?

A. I can recollect only one instance. When I went out with Brigadier Sutherland at that time only one house was searched by the Military people as it was reported that some looted property was in the

house and that somebody was concealed in it. I do not remember of any other houses being searched by the Military in my presence.

Q. In regard to the Nawa Bazar incident you have stated that one dead body and two wounded persons were brought by the Military pickets on charpoys; did you ask the wounded persons as to why they were fired at, or did they tell you how they received wounds?

A. I had no occasion to ask any of those about the injuries they received, nor did they tell me on their own account because Brigadier Sutherland had arrived there and he was to take necessary action in the matter.

I had discovered that one of the wounded was the Government employee—a Bahishti, who had also received wounds.

The Bahishti had been wounded in the thigh but I do not recollect where the others had been wounded.

Q. When did you see the boy whose fingers had been blown off?

A. The boy met me after the accident; first he was taken to the Mission Hospital and then to my house.

Q. Did you see the wounds of the boy?

A. No. Those had already been bandaged.

Q. What did the boy tell you at that time about wounds on his hands?

A. The boy did not say anything but the persons, who had collected there, said that the boy had been fired at by some soldier in the Badami Bagh Cantonment.

(Sd.) KHUSRU JUNG, COLONEL,
Minister-in-Waiting.

Certified that the above statement was read over to the witness and was admitted correct by him.

6th September 1931.

(Sd.) RAM NATH SHARMA,
Secretary Enquiry Commission.

WITNESS No. 84.

Lala Nanak Chand Vakil, on S. A.

This is my written statement (Ex. 98).

Q. Who engaged you on behalf of Mohammad Abdul Qadeer?

A. Maulvi Abdulla's son Abdul Karim who is an M. A. and four other Mohammedans came and engaged me.

Q. Was that out of friendship?

A. No. I was paid my fees.

Q. What do you mean by the phrase "outside of compound" in your written statement?

A. I mean to say which lies within the wooden gate and outside the iron gate.

Q. What did the mob do which rushed in with the car of the Sessions Judge?

A. The car of the Sessions Judge drove within the compound that is through the wooden gate and the mob followed it shouting slogans which are stated in my written statement.

Q. What else did they do after going inside the wooden gate?

A. Then they made for the iron gate.

Q. What did they do there?

A. I did not see this because as soon as the mob reached the iron gate I went to the room where the Sessions Judge was, so I could not see anything.

Q. When you came out of the room where the Sessions Judge was, was the mob at the iron gate?

A. No. The mob had receded from the iron gate. They were seated down and Maulvi Abdulla was addressing them.

Q. Did you hear what Maulvi Abdulla said?

A. No. I did not hear what the Pleader said. As I came out the mob got up and left the inner compound.

Q. Did you go upstairs after this?

A. Yes.

Q. Did you go to the window only when the firing started or you were at the window all the time?

A. I went to the window only when the firing started otherwise I sat on a chair inside the room.

Q. What were you doing while sitting on a chair inside the room?

A. I was sitting with the Sessions Judge because I thought that the accused would be brought there and the trial would start soon.

Q. Did you see with your own eyes the Policemen firing?

A. Yes.

Q. Did they fire in a line or did they go out of the wooden gate and then fire at the crowd?

A. So far as I saw they were within the wooden gate when they fired.

Q. Did you go to the window at the very first firing or afterwards?

A. I went to the window at first firing.

Q. Do you remember what the firing was like? Was there one firing and then stop and then reloading or there was automatic continuous firing?

A. There was repeated firing with the stops for reloading.

Q. Have you any recollection about the order to fire? You have stated that you heard the word fire shouted once. Have you any recollection whether there was a command of fire and then stop when fire took place and then there was another command of another fire, which also took place?

A. I have no such recollection. I heard the word fire shouted only once.

Q. How did the firing cease?

A. The firing ceased when the mob left the bit of road which lies between the wooden gate and the garden wall.

Q. Have you any recollection how often the rifles were reloaded?

A. So far as I remember it was only once that is to say there were only two fires in all.

Q. Did you hear of the loot at Maharajganj while you were at the Jail?

A. No.

Q. When did you first hear of the loot at Maharajganj?

A. When I was a few paces away from Maharajganj I heard first from some Punjabi boys that Maharajganj had been looted by Mohammedans.

Q. How did you get home from the Jail?

A. I walked from the Jail to Navid Kadal and there I took a tonga.

Q. Did your way to your home lie through Maharajganj?

A. My house is actually in Maharajganj.

Q. You have stated that you saw the crowd coming near the iron gate when you went inside the civil ward to inform the Sessions Judge of the event. Did you actually see with your own eyes the crowd or any portion of it actually touching the iron gate when you went away to inform the Sessions Judge?

A. When I went inside to inform the Sessions Judge, the crowd was close by the iron gate. What I mean is that the crowd was standing close to the iron gate and their hands were on the iron gate.

Q. Do you mean to say that you actually saw the crowd or any portion of it pressing the gate or forcing the iron gate with a desire to break it open?

A. The hands of some of them were actually on the iron gate when I went away to inform the Sessions Judge.

Q. Do you remember that when the crowd went away from the compound and assembled in the almond grove that Maulvi Abdulla Vakil asked the crowd to disperse from that grove too, and they promised to withdraw from there after saying their prayers?

A. No. I do not know anything about it.

Q. In the top room where you were sitting with the Sessions Judge how far were you from the window from where you were sitting?

A. About two yards from the window.

Q. Could you see from where you were sitting in the room as to what was going on in the compound outside or had you to go to the window to see?

A. No, I could not see anything from where I was sitting. I had to go to the window to see what was going on in the compound.

Q. Before the firing started could you see as to what was the condition of the crowd which had assembled in the grove? I mean did you see them in an excited or violent mood or were they throwing any stones before the firing started?

A. I do not know, in what mood they were at the time before the firing started as I could not see them but I think when they first

entered the compound when the Sessions Judge arrived, they were in an agitated condition at the time.

Q. Did you hear any declaration being made by any officer at the time, addressing the crowd that they were an unlawful assembly and if they did not disperse they would be fired at?

A. I did not hear any such declaration being made by any officer.

Q. Coming back to the iron gate did you hear at the time that any *kunda* of the iron gate had been broken as a result of the attack made by the crowd at the gate?

A. Yes. When I came back from the Sessions Judge I saw one of the staples of the gate being repaired and I was told that that staple had been broken as a result of the pressure exerted by the mob on the iron gate.

Q. Did you see any Lathi charge being made by the Police before the firing actually started?

A. No. I did not see.

Q. After the firing was over you came a part of the way back with Maulvi Abdulla. Do you remember the District Magistrate asking Maulvi Abdulla not to leave the Jail premises until further orders?

A. I came back a portion of the way with Abdulla and I remember the District Magistrate asking the Maulvi not to leave the Jail premises until further orders.

Q. Do you know that subsequently Maulvi Abdulla was permitted to leave the premises under the orders of the Governor?

A. I do not know whether any such permission was given or not. I only heard the Governor warning Maulvi Abdulla not to go away until further orders and I do not know what happened afterwards.

(Sd.) N. C. ANAND.

Certified that the above statement was read over to the witness and was admitted correct by him.

(Sd.) RAM NATH SHARMA,

8th September 1931. *Secretary Enquiry Commission.*

WITNESS No. 85.

Maheshwar Nath Munshi, on S. A.

This is my written statement (Ex. 99).

Q. Did you with your own eyes see your father struck with a large stone at the head?

A. Yes. I saw from a distance.

Q. Did you see who the person was who struck your father?

A. No.

Q. Then how do you say in your written statement that the murderer is not yet arrested?

A. I did not recognize him, but there are other witnesses on the spot who have recognized him, and that is why I say that the murderer is not yet arrested.

Q. What do you mean by recognition? Did they recognize this person by name and his residence or did they only recognize him by his face?

A. The witnesses know the name and the residence of the person who struck my father.

Q. Did you come to know of that name?

A. Yes.

Q. After hearing that name did you remember any particular enmity between your father and that man?

A. I knew of no enmity between that particular person and my father.

Q. Then you believe that your father was done to death simply because he was a Pandit?

A. Yes.

Q. How is it that you permitted your aged father to go out and you did not go out yourself from your house to find out and fetch your brother?

A. It is true that I was at home when my father left but he left without informing me and I did not know that he was going out to look for my brother.

(Sd.) MAHESHWAR NATH MUNSHI.

8th September 1931.

Certified that the above statement was read over to the witness and was admitted correct by him.

8th September 1931. (Sd.) RAM NATH SHARMA,

Secretary Enquiry Commission.

WITNESS No. 86.

Pandit Dina Nath Arigam, 2nd Bridge Srinagar, on S. A.

31st August 1931.

This is my written statement (Ex. 100).

These are the four photographs struck on one piece of paper (Ex. 101).

Q. When were these photographs taken?

A. They were taken after two days of the riots.

Q. You say that the Police did not help. Was there any Police present to help?

A. Yes. The Police was present not downstairs but upstairs. They were looking on from the verandah in front of the room when the

mob arrived. When I fell on the road I shouted to them to come down to help. They thereupon went inside the room and shut themselves in.

Q. How many Policemen were present at the time at the Police out-post ?

A. There were five Policemen at the time. I actually saw only five men at the time. I do not know their names but know the number of one of them 684. He is a Mohammedan and another one was also a Mohammedan. I do not know whether the three others were Hindus or Mohammedans.

Q. There must be social relations between your master and Dr. Abdul Wahid ?

A. Yes. They have also business dealings and exchange medicines. Recently prior to the riots I purchased 20 lbs. of vaseline from Dr. Abdul Wahid's shop.

Q. You know that Dr. Abdul Wahid's shop is on the other side of the corner and you could not see it from your shop. Did you actually saw Dr. Abdul Wahid coming along that day ?

A. I actually saw him coming. I could not see his shop from where I sat. I saw him because he was in front.

Q. Were not the Mohammedans ready to loot. What was the reason that Dr. Abdul Wahid should incite them ?

A. The Mohammedans were ready to loot but by inciting them he increased their desire to loot.

Q. You mean to say that Ahmad Shah rushed inside your shop ?

A. Yes.

Q. Can you give any reason why, when there were good relations between the two shops, Ahmad Shah should have a desire to do an injury?

A. There was a desire to loot. I cannot give any other reason.

Q. Did you see Ahmad Shah taking away any medicines from your shop to Dr. Abdul Wahid's shop ?

A. No. I did not see him taking any medicine from my shop to Dr. Abdul Wahid's shop. The intention was simply to loot and to destroy. After the loot when the Military arrived the articles of furniture and the registers were also not found and they were missing.

Q. When did the loot actually take place in your shop ?

A. It was a few minutes after 2 p. m.

Q. Was it the first shop in your part of the Maharajganj which was looted ?

A. Yes.

Q. Did you see any wounded or dead persons being carried along with the crowd which looted your shop ?

A. No, I did not see any wounded or dead persons being carried with the crowd.

Q. Is it not a fact then that some wounded persons were brought to your shop by the crowd for treatment and on your refusal to treat them the mob became infuriated and indulged in looting ?

A. No wounded persons were brought to my shop nor we could treat them in the absence of Dr. Dev Koul. Dr. Dev Koul was not present at the time when loot started.

Q. Did you see Colonel Nawab Khusru Jung in front of your shop along with the Cavalry after the loot?

A. I do not recognize Colonel Nawab Khusru Jung but I remember having seen an officer arriving there at about quarter past 8. I informed that officer of loot in my shop and he said that action shall be taken. That officer came in a car.

Q. Do you remember or know any Government officer who visited the locality on that day after the loot ?

A. Yes, I saw Mr. Wakefield and also Thakur Kartarsingh Ji.

Q. Did you inform both these officers just at the time that it was Doctor Abdul Wahid who had incited the mob to loot in the bazar?

A. Yes, I did inform both these officers of that fact.

Q. Before the rioters arrived did any person came along on a bicycle to tell the shop-keepers to close their shops as there had been a firing at the Jail ?

A. No.

Q. Did you hear of the firing at the Jail before the rioters arrived in your locality ?

A. No.

Q. Had you any information before 2 p. m on 13th of July that there was going to be any riot or disturbances or loot in the city ?

A. Yes. About five or seven days before the loot I had information that there would be some disturbance in the city. The witness then added ; the Manager of Co-operative Bank Srinagar whose name I do not know and Pandit Jia Lal attached to the Land Acquisition Officer Srinagar informed me 7 or 8 days before the riot that there would be loot in the city.

Q. Did you communicate this information to your employer Dr. Dev Koul ?

A. No. I did not communicate that information because I knew that everybody knew that.

Q. Had you any idea about the date on which the riotings and disturbances were to take place or to put in other words did you know on the morning of the 13th July that there would be a loot in the city on that day ?

A. No. Nothing was known about the date and it was not known on the morning of 13th July that there would be a loot in the city in the afternoon of that day.

(Sd.) DINA NATH ARIGAM.

Certified that the above statement was read over to the witness and was admitted correct by him.

1st September 1931. (Sd.) RAM NATH SHARMA,

Secretary Enquiry Commission.

WITNESS No. 87.

Pirzada Ghulam Rasul, Head Master, Islamia High School, Srinagar, on S. A.

Q. This is your written statement (Ex. 102).

A. Yes. The witness was informed that as it is a lengthy document it will take a long time for the Secretary to read it over. The Chairman has read it and will ask certain questions thereon.

Q. You know that a Cavalry man rides on a horse?

A. Yes.

Q. How was he then from his horse able to beat as you allege an old mother and her child?

A. He bent down and beat them.

Q. You observe that the property in a Mohammedan house which you entered was absent. Had you seen the property before?

A. No. Two respectable Mohammedans told me that the property had been taken away in their presence.

Q. What evidence had you that the glasses of the windows were smashed and the wood carving broken of Mohammedan houses by Hindus?

A. Dr. Ghulam Ali was there. He told me.

Q. You say that you visited Vicharnag and did not think that the story of loot was correct. Your words are "It was exaggerated if true at all". Did you visit the house of Kailash But?

A. I visited the house. The house seemed to be looted but if a man saw with an impartial eye he could find out that the account of loot was exaggerated.

Q. Who was the woman who is said to have committed suicide by jumping from a window because her house had been looted by Hindus?

A. I enquired the name afterwards. It was Jani.

Q. Did you see her dead body.

A. I did not.

Q. Was any post-mortem examination performed on the woman?

A. I do not know that.

Q. You have stated about Mst. Azizi being robbed of one thousand pounds. What does that mean?

A. It means one thousand Sovereigns of gold.

Q. Do you believe this story?

A. Yes. I heard on the spot that her husband was a very rich man. The husband of the woman was not present at the time.

Q. You found this particular rumour of four men being killed on the 18th in Vicharnag false. How is it that you are so gullible in believing other rumours?

A. We went to the other places on spot and enquired and from enquiries we understood that the complaints were correct.

Q. You complain of Hindu teachers in Government schools being unsympathetic to Mohammedans. How do they prevent their going to school?

A. For one thing, a Hindu teacher does not pass Mohammedan boys when they have to go up a class.

Q. *Sawhny J.*—I wish to draw your attention to the fact that you are making very wild statements which will leave very bad impressions and that such statements do no credit to an educated gentleman like yourself.

One reason you give why Mohammedans do not attend Government schools is that religious education is not given to Mohammedan boys in Government schools. Do you know whether religious education is given to Hindu boys ?

A. I do not know about Hindus but among Mohammedans religious education is essential. I do not know whether religious education is essential among Hindus.

Q. Could not education be given at home ?

A. Such education cannot be given at home because there is no provision at home, the parents being uneducated.

Q. If the father is not educated in religion how is he a Mohammedan ? Do you wish that the son should be a greater Mohammedan than his father ?

A. The father is uneducated and he cannot teach religion to his son. Then the witness added that the Mohammedans have a suspicion that by going to English schools boys will be turned to be English (meaning Christian). If, therefore, Quran Sharif and theology were taught along with secular teaching such a suspicion would be removed.

Q. Do you know whether such religious teaching is given in Government schools in British India ?

A. I do not know.

Q. More Mohammedans going to Mohammedan schools in preference to Government schools leading to the conclusion that Mohammedan students are not well looked after in Government schools. That is not a proper inference according to the Chairman. The Chairman can quote an instance that in Bombay Parsee boys rarely attend Government schools and they all go to schools conducted by Parsees and where all the students are Parsees and where the fees are much higher than in Government schools, do you not think that this preference of Mohammedans for Mohammedan schools is due to communal feeling and not to bad treatment in Government schools ?

A. The conditions in Bombay are different.

(NOTE .—The witness then goes on to give his explanation).

There is one community who has a monoply of posts in Government offices. This community is jealous of the education of Mohammedan boys. It feels if the Mohammedan boys get educated they will also compete for public service and therefore Hindus try to keep Mohammedans back in education.

Q. The Chairman thinks that your argument is no more than a suspicion ?

A. That is not the case. I have quoted instances in my written statement of the entertainment of Mohammedan teachers in the schools resulting in more Mohammedans going to that school.

Q. Would that also not be due to the mentality of Mohammedans who have a suspicion of Hindus ?

A. This suspicion of the Mohammedans as regards the Hindus is not a new one but is an old one. It is based on facts and experience of the past.

Q. When you yourself say that Mr. Sharp's report was kept confidential by the Government, how can you tell that the recommendations were for the benefit of the Mohammedans and therefore the report was kept back ?

A. Such is the belief of the Mohammedans.

Q. Are you aware that a Minister of Education for some years has been a Mohammedan, at page you complain of the uusympathetic attitude of the Minister of Education ?

A. The application was made in 1920 and I do not remember whether at that time the Minister for Education was a Mohammedan or not.

Q. You have stated on page that Mohammedan Assistant Inspector of Schools is employed by the Government to look after Mohammedan education, how does he not help the cause of that education ? You yourself say that a Mohammedan teacher in a school would attract Mohammedans will it not be possible then for this Assistant Inspector to enlist the sympathies of Mohammedans and get more Mohammedans in schools even though he be in charge of a whole division ? Are you grateful for that or not ?

A. The Assistant Inspector is in charge of a whole division. He does do something in the cause of Mohammedan education within his own circle. The original intention was to appoint an officer who would support Mohammedan education in one whole province instead of the officer being solely responsible for encouragement of education in one division. He has been deputed in charge of one division like any other Assistant Inspector.

The witness added that the original intention of the Government was to appoint an Inspector who could look after the Mohammedan education in the whole province, that intention has not been given effect to and the Inspector was in name appointed as in charge of Mohammedan education while he was given an ordinary circle like other Assistant Inspectors and thus the utility of the man in the real sense of the term was destroyed.

Q. What was the indignity you mentioned over the Zuljana ?

A. The procession of horse was not permitted to be taken at that time.

Q. Now we come to page where you dwell upon the rule of giving service only to hereditary State subjects. Are you in favour of the rule or not ?

A. Among Hindus officers on responsible posts are brought from outside, similarly Mohammedans also should be brought from outside.

Q. That is not the point. What have you to say about the rule reserving subordinate posts for hereditary State subjects ?

A. In the Education Department I would advocate the bringing in of Mohammedans from outside because Mohammedan teachers of higher standard are not available in the State. As regards the other departments Mohammedans, I think, are available and if, State subjects they may be employed. If they are not available Mohammedans may be brought from outside. For Primary and Middle schools we have got enough of Mohammedans who can be employed as teachers.

Q. I take it then that you are not in favour of reserving appointments for State subjects ?

A. There should not be a hard and fast rule to that effect. Preference should be given to local Mohammedans and in case they are not available outside Mohammedans should be imported.

Q. In what way you think appointments should be divided between Hindus and Mohammedans?

A. I have not considered this matter.

Q. You have quoted certain cases of importation of Hindus among them the Finance Minister. Do you think any man of that calibre existed in your State?

A. I do not mean to say that men of that capacity exist in the State. What I mean is that if for one post a Hindu is brought in then for another a Mohammedan should be imported. What I mean is that after this rule was framed, no outside Mohammedan was brought in.

Q. What have you to say about the present Home Minister?

A. He has been brought in only recently.

Q. What about the Director General of Agriculture and Co-operation, I mean, Khan Bahadur Abdul Majid Khan?

A. I think he was brought before the rule was framed.

Q. What about the officer-in-charge of the Veterinary Department?

A. I do not know.

(NOTE.—One of the Commission stated that the Mohammedan gentleman was in State service for only a year and a half and then went away).

Q. On page of your written statement you refer to an advertisement asking for only Mohammedan candidates. Do you approve of such a communal arrangement?

A. I do, when the Mohammedans are so backward and their representation in the services is so small.

Q. The Chairman believes that you are a gentleman full of suspicion. You first suspect an intrigue because the advertisement for Mohammedans alone is withdrawn and then you suspect another intrigue that originally this advertisement was given to frighten Hindus and start an opposition?

A. The suspicions are justified by result. In the result very few Mohammedans were appointed to the posts. The President at the time was a Kashmiri Pandit. The result of all this was the appointment of very few Mohammedans and a large number of Hindus so the suspicion of Mohammedans was that the President put in the advertisement with the direct intention of raising a storm in the Hindu Press and thereby depriving Mohammedans of their just share in the appointments. When questioned as to whether he suspected the intention of Mr. Wakefield in putting in such an advertisement the witness answered that how he was to know that that advertisement was put in under the orders of Mr. Wakefield.

Q. On pages and you complain of the set of rules framed by the Recruiting Board depriving Mohammedans of entrance into services. You do not appear to have expressed any gratitude for the employment of 4 Mohammedan Munsiffs at once over the heads of previously selected Hindu candidates?

A. I know that four Mohammedans were appointed. I was not aware that they were appointed out of merit.

Q. You consider this a matter of gratitude by the Mohammedans or not?

A. Certainly Mohammedans are grateful for it.

Q. Are you also aware that certain Mohammedans were specially selected by the Scholarship Selection Board for special training in law irrespective of the claims of the other candidates who had also applied for State scholarships?

A. Yes.

Q. On page of your written statement you complain that there was no Mohammedan representative on the Recruiting Board. Do you know that there is at present a Mohammedan member?

A. Now there is one. There was no Mohammedan member when the Board was started and the rules were framed.

Q. Are the Mohammedans now satisfied that possibly their interests as regards appointments will be looked after?

A. We have seen no result so far.

Q. On page you speak of Old Boys' Association requiring Government sanction. What legal authority have you that such an association should be outside the purview of law?

A. The Anjuman Islam is a registered association. The Old Boys' Association was to be a branch of that association so it is my opinion that it did not require permission of Government. The object also was to raise funds for scholarships to students.

Q. What qualification had Hidayat Ullah for the post?

A. He was a B. A. and a hereditary State subject. The advertisement was for a Muslim graduate. He was not taken in and a Hindu was appointed.

(NOTE.—Mr. Sharma will write to the Accountant General and request him to send the file regarding the advertisement for a Mohammedan in his office and refusal to appoint one Hidayat Ullah and the appointment of a Hindu. Also the file regarding the appointment of Stamp Inspector when it is alleged that one Mr. A. A. Fazil was not appointed though he was a law graduate).

Q. On page you complain of the proscription of the Inqilab. Do you know that it was a seditious paper?

A. The witness says that the paper used a bitter tongue but really it based articles only on statistical information.

Q. Now we come to page where you refer to the *Khutba* matter. How can the bad behaviour of a Sub-Inspector be attributed to the fault of the Government or to Hindus in general?

A. I mention this only as a cause. I myself do not agree with the agitation.

Q. At page you speak of the alleged insult to the holy Quran in Bana Mohalla. How was it proved that those leaves of the Quran were thrown in the latrine by Hindus?

A. It does not stand to reason that a Mohammedan would tear the leaves of the Quran.

Q. The Chairman said "I put it to you that this also is a blame-worthy suspicion just as Mohammedans say it was a blame-worthy suspicion on the part of the Hindus to think that a Mohammedan must have killed the Pandit girl."

A. I also say it was a suspicion. I am only talking of the causes of unrest and I am not giving my own opinion.

Q. I now come to the official enquiry in Jammu as to the *Tauhin-i-Quran*. Are you aware that in the enquiry two Mohammedan gentlemen took part?

A. Those two members, who took part in the enquiry when they came to Srinagar, asserted that *Tauhin* was actually done to the holy Quran. Not only that but they asserted that they had said so at the end of the enquiry as the result of the enquiry.

(NOTE.—The Chairman told the witness that if the Mir Waizes said that His Highness told them that both the reporter and the accused would be equally punished and if the Mir Waizes conveyed such an impression to Mohammedans; the Mir Waizes did not tell what was the truth. The Chairman himself was present when His Highness definitely and repeatedly told both the Mir Waizes, an elderly gentleman who did not speak Urdu very well but only spoke Kashmiri and a middle aged gentleman who spoke Urdu very well, that the Head-constable would be compulsorily sent on pension and the constable who made the report which was held to be false would be dismissed. Not only this but both the old gentlemen and the middle aged gentleman expressed their satisfaction at the result and gratitude to His Highness at having passed such an (in their own words) impartial order.

Q. You say that the Hindu Press had given currency that the Mohammedans sought permission for cow-killing. Do you know that in one of the issues of the Kashmiri Musalman this was put forward as a claim of the local Mohammedans?

A. I am not aware of this.

NOTE.—The Commissioner Justice Sawhny requested the witness to prepare a list of unemployed educated Mohammedans in Srinagar before he appeared before the Commission next time to give the evidence. The witness said that he will try to prepare a list. The witness has been directed to appear on Monday next.

(Sd.) GHULAM RASOOL.

Certified that the above statement was read over to the witness and was admitted correct by him.

10th September 1931. (Sd.) RAM NATH SHARMA,

Secretary Enquiry Commission.

WITNESS No. 91.

Sardar Thakur Kartar Singh Ji, Deputy Revenue Minister, on S. A.

3rd September 1931.

This is my written statement (Ex. 106).

Q. In the beginning of your statement you speak of a desire on the part of certain Muslims of establishing a Muslim Raj. What are the particulars of such a desire?

A. The desire appear to be that there should be a continuous Muslim Raj in the North-West. I mean that the desire was for a Muslim Raj here that may join up with independent Muslim Raj on the frontier.

Q. According to your statement you seem to think that want of representation in Government services is not a large grievance ?

A. Yes, I think so.

Q. Don't you think.....that the question of services is larger than merely the want of employment for the unemployed and I put it to you that in British India when I joined service very few Indians were appointed to high posts. The grievance then was not that educated Indians wanted bread and butter but that Indians not being sufficiently represented in the Government services had not a voice in the Government of the land. From that point of view do you not think that the grievance of want of employment of Muslims in the public services is a very serious one ?

A. I do not agree with that view because this grievance was put forward only by unemployed educated Mohammedans in the cities and this was not a grievance of the villagers or of the Mohammedan public in general.

Q. You have referred on page to certain unprecedented measures of His Highness in favour of the Muslim masses. Can you state some of them ?

A. (1) *The Land Alienation Act.*—By that means a non-agriculturist cannot purchase agricultural land and thus Mohammedan agriculturists were saved from their land being bought up by Hindu money-lenders.

(2) *The Agriculturists' Relief Regulation.*—It was not only put into force from the date it came into force but had also retrospective effect. It relieved the Mohammedan agriculturists of indebtedness. Decrees were to be passed in easy instalments spread over a long period of time. That way the agriculturists escaped from the burden of their previous debts and their land was not lost to them in execution of decrees. Interest was also at the discretion of the Courts and it was not to exceed a certain percentage.

(3) Special scholarships were provided for Mohammedans to give them a training in foreign countries.

Q. Have you any idea how many Muslims have been sent to foreign countries to take the benefit of these scholarships ?

A. My information is not accurate but I think that six or seven Mohammedans were so sent to foreign countries.

(4) Particular provision was made in the Judicial Department. Mohammedans who had recently passed the law degree were provided as Munsiffs superseding Hindu candidates previously selected.

(5) On his accession to the *Gaddi* His Highness by a proclamation granted to the agriculturists use of all conifer trees within the ambit of their cultivation. Previously they could not touch those trees. Secondly the uncultivated area attached to villages and owned by the State was made over to the agriculturists to cultivate. In Kashmir there are very few Hindus who till the soil. The tillers of the soil are almost all Mohammedans and therefore these boons profited the Mohammedans.

(6) Last year 31 Mohammedan teachers of Arabic were engaged in schools.

(7) *Begar* was completely abolished. By *begar* I mean that Government servants were entitled to free use of labour. Not only Government servants, but even such free labour was provided to visitors who were Government Guests. Most of the labourers in Kashmir are

Mohammedans so this prohibition entirely benefitted the Mohammedans. No labourers now can be forced to work without wages.

The demand of milk, grass and eggs which was permitted to be free to Government officers on tour has been completely given up. No such demand can now be made. Officers on tour are now prohibited from taking provisions in this way and have to purchase in the open market. Now the touring officers have even to pay for the hire of *charpois* the use of which was formerly supplied free to them.

The special effort I indicate on page is the constitution of a Recruiting Board. That Board deprives all departmental heads of making any appointments as they desire. The board so far as I know are working on the understanding that a certain percentage of appointments should be given to Mohammedans.

Q. You speak of challenging comparison for this Government with other Governments. So far as the Chairman has information the Mohammedan representation is about 16 per cent. in the services. Do you consider that fair?

A. That may not be fair at present. I shall not be opposed to larger representation provided the points mentioned by me at the end of my statement are kept in view. What I desire to say, however, is that this Government can challenge comparison with another Government similarly placed meaning that possibly in a Mohammedan Government with a large Hindu population it would be found that Hindus had not even that percentage of representation in the Government services.

Q. In paragraph 2 of page of your written statement you note that the external and internal forces of Muslim agitation coalesced after the departure of His Highness for Europe about September 1930. Do you not think that the Y. M. M. A. was in touch with the All-India Kashmiri Muslim Conference of Lahore prior to that?

A. That may have been secretly but open combination was not declared till then.

Q. You consider the violence of the last session of the All-India Kashmiri Muslim Conference to be due to this joining up of forces; don't you think that this violence may also be due to the longer existence in time of that Conference?

A. I draw this deduction of the combination making the Conference more violent because it was the first time that representatives from Jammu were present at the Conference. Not only that but volunteers from Jammu went and acted at the Conference. Also an incident happened which showed the virulence of the local Mohammedans at the Conference. When Abdul Haq tried to speak in the Conference in favour of the State and on facts, he was shouted down. He distributed a large number of copies of his book stating the true inwardness of the situation here. This fact was reported to the proper authorities by the Police.

Q. On page you have given the opinion that the attack on His Highness' Government in Inqilab must have been due to information supplied by persons in Government service. What reasons have you to think so?

A. I have given my reasons in my confidential note. The reason is that the information on which the attacks were based was not available to the public.

Q. Now I come to an important portion of your written statement. At page you say that His Highness' subjects have the fullest freedom to seek redress constitutionally through representation of legitimate grievances. I put it to you that on the surface there is no channel through which legitimate grievances may be presented to it?

A. It may be there is no regular channel but His Highness the Maharaja Bahadur receives petitions direct on one day in the week. Anybody could approach him.

Q. The Chairman put it to witness that such a permission would indicate the presentation to the highest in land of personal grievances and personal redress; for instance help against a *Zabardast* land-lord or against a corrupt official, a private redress to a man whose wife has run away. Do you think that such permission would include the representation of the grievances of a community?

A. It was so understood and His Highness desired it to be so understood. It was possible on the appointed day for two or three representatives of a community to approach His Highness and to acquaint him directly with their difficulties and grievances, though no doubt as the Chairman suggested personal troubles were placed before His Highness.

Q. Were you a Member of the Cabinet while His Highness was away?

A. Yes.

Q. What days had the Cabinet appointed to receive petitions?

A. Two days in the week.

Q. Were petitions presented on those days?

A. Yes. I worked both as Secretary and Member of the Cabinet. The Cabinet had authorised me to receive petitions. I used to pass formal orders myself and anything requiring consideration was put up before the Cabinet.

Q. You may answer this question here or not. Don't you think that if some better method of representation of grievances is devised it would be more conducive to the satisfaction of the people?

A. If any better method is devised I personally would have no objection.

Q. In your whole statement you insist very much on firmness. Certain witnesses as high placed in the service as yourself have exhibited a certain amount of nervousness as regards dealing with Mohammedans by reason of outside public opinion.

A. Personally I should not feel any such nervousness. In my opinion Mohammedans should be dealt with in the same manner as Hindus. There should be no difference of treatment. Even if outside public opinion is agitated I am perfectly certain that when true facts are known and if the Government always dealt with firmness and justice that opinion would be modified.

(*By Chairman.*—At page you express a suspicion as to protection given to the agitators. I shall ask you subsequently in camera as to your reasons for this on paper at least your opinion appears to be merely a suspicion and not a conviction).

Q. At page you state that Muslim agitators and disloyal officials were not even touched. I do not ask you for details but are you of opinion that these men were known?

A. Yes, I am of opinion that the identity of these men was known and I think that action could have been taken against them.

Q. Now I came to a matter which will touch you personally also. You speak of masterly inaction in the earliest stages of the disaffection between the communities. Do you not consider yourself as a Member of the Cabinet responsible for it?

A. I admit that I was a Member of the Cabinet but I did my best and I shall give reasons in camera how I was powerless to get over it.

Q. In the first line of paragraph 4, page you speak of the diverse elements not having a single motive. I believe, you mean a motive common to them all?

A. Yes. That is my meaning. I mean a common motive.

Q. You speak of diverse motives of those who joined in this particular movement. Don't you think that such is the case of political movement everywhere.

A. What I mean is that persons who combined had different motives. I am narrating facts and not pointing to any peculiarity in this particular movement.

Q. At page the Chairman says that in his opinion you have treated the cry of *Islam* in danger as an entirely falsely devised, but the Chairman suggests to you that there were a series of unfortunate accidental incidents and the cry was not entirely fabricated?

A. I agree that there were some unfortunate incidents. But even in the *khutba* case there was not any bad intention of the Inspector and the circumstances were distored and magnified in order to work on the religious susceptibilities of the masses. That is what I mean when I say that the cry of *Islam* in danger was entirely fabricated. Similarly in the case of *Tauhin-i-Quran* there was no intention of *Tauhin*. It was by accident that the bedding was pushed away and this incident was distorted in this sense. I mean that a false charge of an intentional *Tauhin* was made.

Q. You are a very high Hindu Rajput officer of the State and I put it to you, is it your opinion that any Hindu who intentionally offers disrespect or insult to the holy Quran which is held in the greatest reverence by Mohammedans, would not be regarded as a scoundrel?

A. Undoubtedly so.

Q. Do you think that any responsible Hindu would extend sympathy to or try to save such a scoundrel?

A. Certainly not.

Q. I quite understand that lack of sympathy on the part of Srinagar officers prevented them from doing their duty. But whose fault would it be if they are not competent and lack confidence?

A. I see the point of view of the Chairman. The non-removal of incompetent officers lacking confidence, thus turns part of the blame on Government.

Q. On page can you say that these Magistrates act purely as Judicial officers and forget that it is their duty to maintain law and order? The Chairman said that in British India he considers that such duty of maintaining law and order is confined only to the District Magistrate and not extended to all the Magistrates of the District.

A. The conditions in this State are different. I do know that in British India the District Magistrate is the only one responsible for the law and order in the District but his District is very small in area. Here in Srinagar from some part of the District of Kashmir of which there is only one District Magistrate a petitioner will not be able to approach to the District Magistrate within three or four days. Under the circumstances, I think that Mufassil Magistrates should not be satisfied merely by doing their case work but also consider the maintenance of law and order as part of their duty. In this State one province is the District.

Q. Under the circumstances, do you think that the Province should be divided into small districts?

A. I will agree with that view. So far as I remember such a scheme is under the consideration of the Government.

Q. The Chairman has already expressed his opinion to the local Governor that it is impossible for a District Magistrate to have effective control of the vast area. Your opinion, however, has met that point. Do you think that local Magistrates should exercise the authority of a District Magistrate in the local area within their charge?

A. Yes.

Q. The Chairman grants that your view is quite a reasonable view but he would like to know whether such a view point was ever conveyed to the High Court or to the subordinate Magistrates concerned ?

A. So far as I know such a view was not conveyed.

Q. In para 10 you really put your finger on a difficulty which exists not only in this State but all over British India but I would like to know how the real instigators ought to be discovered ?

A. In my opinion, if you organize the C. I. D. on efficient basis I do not think that it would be difficult to discover the instigators.

Q. What would you suggest about Punitive Police a measure invariably adopted in British India? Is there not any law in this State ?

A. There is the same law in this State.

Q. If this is on the Statute Book why should you make a suggestion to that effect ? Why is the method not adopted here ?

A. I do not know. All I know is that it has not been adopted.

Q. Has there been any case of the imposition of Punitive Police ?

A. There may have been a case or two. But it is not the method which is generally adopted.

Q. I quite agree with you that Ministers of Government and Heads of Departments should become more accessible to people but you have not suggested means ?

A. What I mean is that these Ministers and Heads of Departments should be accessible, for instance, if a man came from a distant village and is given three days' date he would incur large expenses either going back to his home or staying here for three days.

Q. You mention Conciliatory Boards in your suggestion (*g*) at page . Do you not think that permanent boards of that character would be useful?

A. Yes. I would agree to the establishment of permanent boards of that nature.

Q. On page you very rightly suggest the arriving at a satisfactory solution as regards the services. Do you think that a percentage should be permanently established or whether the matter should be left in a fluid state ?

A. I think that the matter should be left in a fluid state to the good understanding of the Recruitment Board. It will not be wise to fix a permanent percentage.

Q. Are you of the opinion that all available suitable Mohammedan educated youngmen should be absorbed in the services ?

A. Yes.

Q. It is rather a difficult condition you suggest that persons with marked communal bias should not be recruited in services. At the beginning it would not be possible to find out this as an officer usually develops communal feeling after he is in service. What have you to say to that ?

A. In that case such a man should not be promoted.

Q. As regards your suggestion in (*iv*) there should be no lowering of the standard of efficiency, what do you mean by efficiency ?

A. I am of the opinion that efficiency should be taken into consideration of the posts as are to be filled and need not be efficiency in the abstract such as a man of better degree being appointed even for a low paid post.

Q. In recommendation (*v*) you have not given a definite opinion as to whether you do or do not approve of the present rule that employment should be reserved for State subjects ?

A. I am in favour of the present rule. I am of opinion that the rule should not be relaxed.

Q. Your last opinion is that the administration at present is top heavy. Is it your opinion that the higher officers of the State are paid more than the State can afford ?

A. Yes that is my opinion.

Q. In paragraph ( ) of your note you have stated that the discontent of some who were dismissed, removed or retired from Government service for reasons unconnected with this movement is also a factor of some importance. Excepting Mr. Ashai does this refer to anyone else ?

A. Yes. There is one other case of Gauhar Rahman from Jammu who is a member of the deputation from Jammu. He was a Ranger and was dismissed from service on a charge of abduction.

Q. Was there any other case in your mind at the time of your writing this note of a dismissed employee coming forward as a member of the deputation ?

A. No.

Q. Was any case of premature retirement in your mind at the time of your writing this note ?

A. No. I don't remember.

The witness added that he has confined his remarks to the leaders of the movement.

Q. What time was it that you reached Maharajganj Bazar on 13th of July ?

A. I don't exactly remember the time. I remember it was after 6 p. m.

Q. Were you told by the people of Maharajganj Bazar that the loot was incited by any particular individual ?

A. No particular individual was mentioned to me as the person who had incited the loot but I saw about 40 or 50 shops looted and I saw some torn and burnt papers and ledgers and the property which had been looted. I also saw a smashed car. The owners of the car complained that the rioters had destroyed that car.

Q. Do you remember having seen some Chemist's shop in Maharajganj Bazar which is situated just below the Police out-post?

A. No.

Q. As regards the question asked by the Chairman about the responsibility of the Government for removal of incompetent men from service you are aware that His Highness has already appointed a Public Service Efficiency Board for the purpose and one of the objects is to remove incompetent men. Is not that a sufficient measure?

A. Yes. I am also a member of the Commission and the Commission is functioning and is still in existence.

(Sd.) KARTAR SINGH,

Deputy Revenue Minister.

Certified that the above statement was read over to the witness and was admitted correct by him.

6th September 1931. (Sd.) RAM NATH SHARMA,

Secretary Enquiry Commission.

WITNESS No. 92.

Khan Bahadur Thakur, Agha Sayed Husain Sahib, retired Minister of State, on S. A.

4th September 1931.

This is my written statement (Ex. 108).

Q. What was the fracas about Mahakali and Shah Hamdan?

A. These were the two places of worship of Hindus and Mohammedans close together. It was formerly a source of pride to us that the two communities had two places of worship close together. But subsequently there was dispute over it on account of Hindus making some extension of the Ghat. I remember that Mr. Glancy went to the spot and arranged some settlement.

Q. You have given expression to desire of the Mohammedans for larger share in public services. Are you aware that the number of educated Mohammedans in the State is not sufficiently large to permit of larger employment of Mohammedans in the public services?

A. I am aware of that. But even if the few educated Mohammedans are not employed the fact is likely to cause dissatisfaction. The complaint is not so much about the higher posts as about the lower posts in services. In the higher posts when officers are employed, the employing authorities in the nature of things will not have any communal considerations in making appointments. The trouble arises in the lower and divisional charges like those of the Divisional Forest Officers or Divisional Engineers and District Officers where it is suspected proper regard is not paid to the representation of communities in the services.

Q. Do you not think that the present Recruitment Board will in a larger measure remove this evil?

A. That is quite true. In my written statement I described the causes of the present trouble and do not mean that such trouble still exists

Q. An important issue is presented to the Commission whether the present rule as preserving services excepting higher and technical ap pointments to State subjects should be maintained or not. Some Mohammedans had stated that they would prefer outside Mohammedans in services to local Hindus while others had stated that if Mohammedans of the State are not available they would prefer appointments to be given to the Hindu brothers of the State rather than to outside Mohammedans.

A. I am of opinion that neither Mohammedans nor Hindus should be imported from outside for employment in public services.

Q. The Chairman said that he was sorry that the witness who was himself Minister of Education has not touched on the large question of facilities of education for Mohammedans. What facilities in his opinion should be given to them?

A. It was I who recommended to the Cabinet the appointment of a Quranic teacher in every compulsory school in Srinagar. On my recommendation 31 Quranic teachers were appointed to as many compulsory schools. Once I went round to inspect the compulsory schools with Mr. MacDermott and the complaint was made that Mohammedan boys were made over for education to a Pandit who could not even pronounce the Urdu alphabets correctly. There was a considerable amount of dissatisfaction but the appointment of Quranic teachers removed it. Otherwise compulsory education would not have been popular as it is at present.

I will narrate another difficulty. In the time of His late Highness schools were opened as Normal Schools for the education of youngmen to prepare them as teachers in schools. It was expected that Mohammedans would get educated that way and become suitable as teachers and thereby on their appointment as teachers would attract Mohammedan boys to the schools. Unfortunately this object was not achieved. During the time I was Minister of Education I went round both here and in the Jammu Province to inspecting schools and I noticed that in almost all Normal Schools the Mohammedans were conspicuous by their absence. It so happened that Inspectors and Assistant Inspectors did not recommend Mohammedans for such training. The Inspectors and Assistant Inspectors were themselves empowered to select boys for training and they did not select Mohammedan boys. It was not in my power to interfere. I could not modify the rules but I gave general advice to the Director of Education as well as to the Inspectors to select some Mohammedan boys.

Q. Are not there any Mohammedan Inspectors?

A. There is one Mohammedan Inspector in Jammu Province recently appointed. There are only two Provincial Inspectors I had proposed to raise their number to 4. It has not yet been sanctioned because of present financial stringency.

Q. Do you think that the appointment of Muslim Inspectors would obviate this difficulty?

A. I am not sure. The matter depends upon personality. But such an appointment will at least satisfy the sentiment of the Mohammedans.

Q. On page of your written statement you draw distinction between the Kashmiri Muslims working on peaceful lines and the Muslims of the Punjab adopting a different line of conduct. Have you any idea how the two got to associate together?

A. I do not know of any personal association but the Mohammedans of the State were influenced by newspapers. It must be remembered that now a days even illiterate people come to know what

is printed in newspapers because in villages if there is one literate person he reads out the paper and all the illiterate men of the village listen to what is read out.

Q. What is this about the age limit rule of the Recruitment Board which you say perturbed the newly arrived Mohammedan graduates?

A. An age limit was fixed for entry to service by the Recruitment Board which did not exist formerly. I was never a member either of the Scholarship Selection Board or of the Recruitment Board. Therefore I do not know the details. The newly arrived Mohommedan graduates took it into their heads to believe that these rules were framed particularly by way of obstacles to their employment because they were framed just a little time before they arrived and expected to be employed. The rules may be excellent but I believe that the time of the promulgation was unfortunate. The other obstacle was of competitive examination. I explained to them when they came and complained to me that there is loophole left by the provision of appointment by nomination and the Government would equalise in case of the failure of Mohammedans in competition by nominating them.

Q. Are you aware that Mr. Abdulla was not selected and preference was given to a less qualified Hindu because the age of Mr. Abdulla was such that he could not be admitted in outside institutions?

A. I have no knowledge of the detail. I have only heard when Mr. Abdulla went about complaining and murmuring about what he alleged the injustice done to him.

Q. Do you know that the Cabinet gave an answer to the representation of the Mohammedan students?

A. If the answer was given before March last I was unaware but if it was given afterwards I would not come to know of it because I was on leave at the time.

Q. The Chairman told the witness that the reply is dated 28th January 1931. Were you in-charge as Minister at the time or not?

A. I was in-charge as Minister on that day but the answer was not given through me. The Mohommedan students also did not submit the representation to the Cabinet through me. As I have stated in my written statement they were specially angry with me.

Q. You have made a very wise suggestion that all public meetings and preachings on the part of both communities should be stopped. I shall now explain to you that preachings are made in mosques and temples under the guise of religion. You are a Mohammedan gentleman and I shall question you only with regard to mosques. Do you think that if such preachings are made in mosques under the guise of religion as subsequent to the quotation of a verse of the holy Quran action should be taken in such case also? I have been asking such a question to all respectable Mohammedans because the Government in order to act in a way to prevent these preachings must have at its back responsible Mohammedan opinion.

A. It is my opinion that such preachings should be stopped even when it is in the guise of religion. I think that Mohammedan Police officers should be deputed in mosques and Hindu Police officers in temples and Dharmsabhas and check such preaching and report about them. The witness added that such preachings were not known in the provinces of Jammu and Kashmir formerly and they are entirely of recent growth and in his opinion could be put down by strong measures.

Q. What do you mean about release of persons caught on the road by Military soldiers? Do you mean those who had broken the curfew order?

A. No. I do not mean those. I mean men who had been promiscuously caught on the 14th and 15th of July by Military pickets and by the Police on the road without ascertaining whether those men had taken part in the commission of any offence or not.

Q. Have you any personal knowledge of any one being caught in such a way without cause?

A. I have knowledge of one man being so caught. He has however been released. His arrest however indicated how several Mohammedans were promiscuously caught after the riots in the confusion of the movement.

Q. You advocate giving of monetary relief to the dependants of those who were killed by firing. As regards your suggestion No. 5 do you not think that the granting of monetary help to the dependants of persons killed in the firing of the Jail and elsewhere would imply that the firing was unjustified?

A. I do not mean by way of compensation but by way of charity. When money is paid by way of charity such a conclusion will not be drawn. The person killed may have committed an offence in going to the Jail in large numbers but, in my opinion, their dependants should not suffer for such a conduct. I am told that Her Highness gave a certain amount in charity for this object.

Q. As regards your fourth suggestion, what is your opinion; should the Reconciliation Committee, as you call it, be a temporary business or a permanent?

A. If it is found beneficial, it may be made permanent. I am afraid that the constitution of such a Board is not possible at present because feelings on both sides are very high. After the feelings quiet down a little I think it will be possible for Hindus and Mohammedans to meet on such a Board. Such a Board should be established as quickly as it possibly could be.

Q. Have you considered what should be the probable number of such a Board?

A. I believe that 15 of each community should be selected. A large number like that is necessary because some young men will also have to be selected as they have come forward in prominence in both communities. It is by discussion between the young and old of both communities and by exchange of ideas between them that there will be a possibility of reconciliation.

Q. Should in your opinion these members of the Board be paid an allowance?

A. Some suitable allowance should be made. The witness was then questioned whether there would be any apprehension of such a payment in raising a prejudice the public mind. The public may think that these members have been purchased by Government. The witness answered that there need not be such an apprehension because Assessors, when they attend Sessions Court, are paid, but there is no suspicion in the public mind that they have been got at by Government. The payment however should not be large—some daily payment for the day of attendance.

Q. What is your suggestion as to the selection of members of such a Board?

A. I should like the selection to be made by some authority higher than Governor. The selection should, however, be made after consulting loyal and law-abiding citizens of both communities whose opinion should be relied upon.

Q. Do you think that Boards at Srinagar and Jammu will be sufficient or should there be Boards at provincial towns also?

A. I think that the Boards at Srinagar and Jammu will be sufficient. The real trouble is in the two cities. They have to be protected. I do not think that there is much agitation outside the cities. It should also be borne in mind that the appointments of Boards, where they are not necessary, will create suspicion in the minds of local inhabitants.

Q. I now come to my last question in the excellent speech you made to the students of the S. P. College in October 1929 when you desired to turn their attention to commerce and industries but complaints have been made before the Commission that the Government does not do anything to encourage commerce and industry. How far is it true?

A. In the same speech I put forward suggestions for the opening of Technical Schools but it was not in my hand as Minister for Education to make such a suggestion officially. Technical education was under the control of another Minister.

I made this reference because Mr. MacDermott, Director of Education, had suggested that now admission in the College should be curtailed because according to him College accommodation and Hostel accommodation and play-ground accommodation were all over-burdened. I did not agree with this suggestion because, in my opinion, students seeking further education should not be stopped from gratifying their desire. I said so at first and subsequently advised the students that they should not look to employment in Government services as the only aim of education but should fit themselves by education for commerce and industry as well.

Q. Have you any idea about the number of unemployed educated Mohammedans in Kashmir Province?

A. I have no exact idea but I understand that there is a number of educated Mohammedans still unemployed but they may be twenty or thirty or more but there is a large number of unemployed persons among the Pandits who are educated.

Q. Were you able to collect this information while you were Minister of Education Department?

A. No. There was no necessity for doing so as peace prevailed at the time and all this unrest and agitation is recent.

Q. It has been complained before the Commission by some of the witnesses that Mr. Sharp of the Government of India was sent for to consider the question of Mohammedan education in the State but that the recommendations which he made remained a dead letter and that they were not acted upon here. You were Minister for Education for sometime, what have you got to say about this complaint?

A. Mr. Sharp was invited to advise the Government on educational matters and his advice must have been on the general principles of education common to both the communities. For instance he may have suggested that there should be a school for such a number of inhabitants. I say so as I had never the good fortune of going through his advice. During my tenure of office I was directed by His Highness to prepare a programme for expansion of education and also to prepare a programme for the extension of Dispensaries in Mufassils. I could submit the programme for Dispensaries very soon but the preparation of a programme for extension of education for a vast country, about the location of schools and selection of villages was a task, but however I am glad to say that I was able to finish that programme one day before I had to proceed on

leave. That programme if followed, will I hope, fulfil His Highness' desire that there should be general literacy in the State so that taking of thumb-impressions may be avoided. During the preparation of this programme I sought for a copy of Mr. Sharps' advice but it could not be found in my office, probably because many Ministers had changed since Mr. Sharp's visit to Kashmir. The witness added that as he was not in a position to get a copy of Mr. Sharp's report, he was not in a position to say whether his recommendations were or were not followed in the Education Department. All that he could say was that the recommendations were not talked about in the Education Department.

Q. Do you know that a special post of a Inspector for Mohammedan Education was created in the Kashmir Province?

A. Yes.

Q. Is it a fact that the post of Inspector for Mohammedan Education which was specially created for looking after the educational interests of the Mohammedans of the country was subsequently merged into an ordinary post of Assistant Inspector and thus the object for which the post was created was destroyed.

A. Yes. It is a fact but it was done before I was appointed Minister for Education. By some arrangement which took place before I was appointed Minister for Education the post of the Inspector for Education was converted into an ordinary post of Assistant Inspector in Anantnag Division.

Q. Was it in your time when you were Minister in charge of the Education Department that Mr. Abdulla, M. sc., was provided in the Education Department?

A. Perhaps it was in my time.

Q. Do you remember what post he was given and what pay he was given to start with?

A. He was appointed by the Director of Education in whose power lay the filling up of posts up to Rs. 100 p. m. As regards pay I do not know what he was given to start with.

Q. It has been stated by one of the witnesses that you made a proposal for filling up the post of the Principal of the Srinagar or Jammu College and recommended a Mohammedan for that post and that the Cabinet asked you to withdraw the proposal?

A. No. It is not a fact. It is a mischievous concoction.

The witness added that the only thing that he was told by the Members of the Cabinet was that the question of the filling up of the post of the Principal would be kept in abeyance until the return of His Highness from Europe.

Q. Are you aware of the reasons for which this post of the Inspector of Education was converted into that of an ordinary Assistant Inspector?

A. No. I have not come across any.

(Sd.) SYED HUSSAIN,
Retired Minister of State.

Certified that the above statement was read over to the witness and was admitted correct by him.

(Sd.) RAM NATH SHARMA,
Secretary Enquiry Commission.

5th September 1931.

WITNESS No. 93.

Colonel Jogindar Singh, on S. A.

4th September 1931.

This is my written statement (Ex. 109).

I went to Maharajganj from Badami Bagh with 250 men of Infantry.

Q. When did you reach Maharajganj ?

A. The time must have been 4-30 or 4-45 p. m.

Q. When you arrived at Maharajganj was the loot proceeding or had it ended ?

A. The loot had ended.

Q. Did Brigadier Onkar Singh meet you at Maharajganj ?

A. No, he accompanied me.

Q. Did any Military arrive at Maharajganj before you did ?

A. No, we were the first Military to arrive there.

Q. Did you see the Police out-post at Maharajganj ?

A. No, I do not remember seeing. A large force of Police with the I. G. P. and the A. S. P. had arrived at the spot before we did.

Q. Did you see the man who was killed at Doom Kadal ?

A. I did not see the dead body. Captain Gauri Datt made a report about it. It is, however, certain that one man was killed.

Q. Do you remember whether Dr. Abdul Wahid was being beaten by Policemen and Military men also as well as by the crowd ?

A. No. No Military men were present at the time. Only there was one Police constable visible and he also was standing at a distance. I am quite certain that no Policemen and no Military men beat him.

Q. You speak of patrols stoned at different places during the 3 days resulting in injuries to 25 men of your Regiment, have you got the names of these men ?

A. A list has been prepared of all the men who received injuries.

Q. Did Dr. Abdul Wahid tell you on the spot that he had also been beaten by certain Military men ?

A. No, Dr. Abdul Wahid did not say any such thing to me at the time.

Q. When you first reached Maharajganj Bazar; did the persons whose shops were looted tell you at the time that the loot in the bazar had been incited by any particular individual?

A. No such thing was told me at the time.

(Sd.) JOGINDAR SINGH,

Officer Commanding 5th Kashmir Light Infantry.

Certified that the above statement was read over to the witness and that it was admitted correct by him.

(Sd.) RAM NATH SHARMA,

4th September 1931.

Secretary Enquiry Commission.

WITNESS No. 94.

Pandit Satya Lal, on S. A.

This is my written statement (Ex. 110).

Q. When the District Magistrate gave the order to fire were you in the same room in which the District Magistrate was?

A. I was in the same room.

Q. Do you know what happened previous to this order to fire?

A. Just before this order was given it had been reported that the Police Lines (attached to the Jail) had been looted and set fire to.

Q. To whom did the District Magistrate give the order to fire?

A. He told the D. I. G. to give the order to fire.

Q. Where was the D. I. G.?

A. To my belief the D. I. G. was in the compound at the time.

Q. Did he hear what the District Magistrate said?

A. He could have heard.

Q. What did the D. I. G. do then?

A. The D. I. G. went out of the wooden gate for half a minute or a very short time and came back.

Q. What did the D. I. G. do?

A. He said something to the mob. Stoning went on vigorously so he had to come back. So far as I remember the District Magistrate said "Fire into the air". Some rounds were then fired into the air.

Q. Before you left the Jail did you know that Maharajganj Bazar had been looted?

A. No.

Q. Did you hear what Mr. Wakefield said to Brigadier Sutherland as to where the Brigadier had to go?

A. I heard that he was asked to go to Nowhatta and Thana Maharajganj.

Q. You did not go to Maharajganj Bazar at once?

A. We did not go at once to Maharajganj. We first went to Nowhatta and afterwards to Maharajganj Police Station which is at some distance from Maharajganj Bazar.

Q. Did you see the doors of the Police Station closed?

A. Yes.

Q. How many constables or Head-constables came out?

A. When I called out only three or four came out.

Q. Do you know whether more were inside?

A. No, I do not know whether more were inside or not.

Q. Did you see any attack being made on the iron gate of the Jail yourself?

A. No.

Q. You have stated that you saw certain repairs being done to the gate. Were you told at the time that those repairs had become necessary as a result of the attack by the crowd on the gate?

A. I learnt after five or seven minutes that the Jail gate had been attacked. The witness added that he could not say whether the repairs which he saw being done to the iron door had been necessitated as a result of the attack by the crowd on the gate.

Q. I particularly ask you this question because the Darban who was on duty at the time has stated before the Commission that one of the *kundas* of the gate had been broken long before the crowd came near the gate?

A. As I have stated I do not know anything about that.

Q. You have stated that you saw the D. I. G. going out of the compound for about half a minute and speaking something to the crowd. Were you able to hear from where you were sitting as to what was being spoken by the D. I. G.?

A. I did not hear what the D. I. G. spoke.

Q. Do you know whether before the fire was started any declaration was made by any officer addressing the crowd that they should disperse otherwise they would be fired upon?

A. I only heard the District Magistrate asking the D. I. G. to make such a declaration to the crowd but I cannot say whether such a declaration was actually made by the D. I. G. or not.

Q. What time did you reach Maharajganj Bazar on the 13th of July for the first time along with Brigadier Sutherland?

A. About 4 p. m.

Q. Did you hear the persons whose shops had been looted saying at the time that the loot in that Bazar had been incited by any particular individual?

A. I do not remember. The witness added that when he arrived at Maharajganj Bazar he found Pt. Bhim Sain there and he asked Pandit Bhim Sain as to whether he could be of any help to him but as his help was not required he proceeded further on.

Q. You have stated that the report about the loot of the Police Lines attached to the Jail had been received by the District Magistrate before the order to fire was given. Are you quite certain that this report was received by the District Magistrate before the order to fire was given?

A. To the best of my belief the report was received by the District Magistrate before the firing was ordered.

Q. Apart from one instance which you have quoted in your written statement did you see any Mohammedan houses or shops being looted on the 13th of July or on any subsequent day?

A. I did not see any Mohammedan houses or shops looted.

Q. Apart from the complaint about the exaction of Rs. 2 by the Military from somebody do you remember whether any other complaints were made about the harrassment and oppression practised by the Military upon the citizens?

A. Apart from the two incidents quoted by me in my written statement I did not hear any other complaint being made by the citizens

against the oppression of the Military. The witness added that when he reached Naid Kadal some persons came and made complaint to Brigadier Sutherland that they were being harrassed by the Military. The most conspicuous was the man who said that Rs. 2 had been taken from him by some Military people. We found that the complaint was frivolous.

Q. In regard to the firing at Nawa Bazar, did you ask from the persons as to how they were wounded? You were a Magistrate at the time and it was your duty to ask from them as to how they were wounded?

A. The persons, who were accompanying those wounded men, replied that they were wounded at Nawa Bazar.

Q. Did you ask those persons as to how they were wounded?

A. No. I did not ask those persons.

The witness then added Colonel Nawab Khusru Jung was asking some persons as to how those persons were wounded and therefore I did not want to repeat those questions.

Q. Did you hear what reply the wounded men gave to the questions put by Colonel Nawab Khusru Jung?

A. The wounded men did not give any reply. The men who were accompanying these wounded men replied that these men were wounded at Nawa Bazar.

Q. Whether these men who accompanied the wounded men described as to how these wounded men received the wounds?

A. No.

Q. You are a Magistrate accompanying the Brigadier, did you not think it your duty to question either the wounded men or those persons accompanying them as to the circumstances under which these men were wounded?

A. As these men were being carried to the hospital I thought it advisable that these men may be questioned at the hospital.

(Sd.) SATYA LAL RAINA.

Certified that the above statement was read over to the witness and was admitted correct by him.

(Sd.) RAM NATH SHARMA.

4th September 1931.

Secretary Enquiry Commission.

WITNESS No. 95.

Mr. Eric Biscoe, Principal, C. M. S. High School, on S. A.

Q. We have called you because your name was suggested by one of the witnesses as an eye-witness to the occurrences of the 13th July. Will you kindly describe what you saw?

A. It was on 13th of July that I left my school after 3-30 p. m. to conduct a party of boys home whose homes were in the area near Shah Hamdan mosque. I was away from the school when the boys were due to go home. I received a message that the school was going to

be attacked. It was after three p. m. I was at my house here when I received the message conveyed by a boy of the school. I went to the school and found all the boys assembled. The school is at the 3rd bridge.

Q. When you went from your home there to your school did you pass through any disturbed area?

A. No.

When I reached my school there was no crowd there. The crowd must have gone on. The boys were then put into groups according to the Districts from which they came and were escorted home by masters who live in those localities. We understood that there was trouble round about Shah Hamdan and so I decided to take the boys of that locality myself. Twenty or thirty boys were in my party. There was no sign of trouble until we got into Maharajganj. It was before 5 p. m. when we reached Maharajganj. My party had increased as people had asked if they might accompany me. By the people I mean Pandits. The Mohammedans were very anxious that we should not cross over to the 4th bridge. The Mohammedans were sitting on their shops on the way. At Maharajganj we saw the signs that shops had been looted.

Q. Could you ascertain whether they were Hindu shops or Mohammedan shops?

A. No. I could not.

On proceeding through Maharajganj we came to a small alley leading towards Ali Kadal that is the sixth bridge. On turning the corner we saw in front of us some of the shops being looted. I could not say how many. The whole street was filled with debris.

Q. We want to know particularly whether you actually saw looting going on or you only noticed signs of loot?

A. I actually saw looting going on. I actually saw people breaking open shops and taking goods out of them.

Q. Here again the question arises whether the shops looted belonged to the Hindus or to the Mohammedans?

A. I got the impression that it was the Hindu shops that were looted but I cannot be certain.

Q. Who were the persons looting? Could you distinguish them?

A. They were Mohammedans.

When the rioters saw us they ran away.

Q. Who formed your party at that time?

A. There were the boys with me. The grown up men who were with me ran away.

I then went back to try to collect those of my party who had run away. I went to take for the grown up people who had joined me. I thought it would be dangerous for them to be by themselves. A Police lorry then arrived on the scene and I asked if I might have a couple of men as escort for my party but I was told that I could have the escort of the lorry as far as our roads went together. When the lorry turned the corner into the alley it was unable to proceed because of the debris blocking the way and so my boys and myself went in front and cleared the road.

Q. What did you clear the road of?

A. Of boxes, broken glass, bags of grain and various sorts of goods and mostly groceries.

We then went on to Ali Kadal. The lorry left us a few yards before Ali Kadal and here I left the last of my boys at Ali Kadal.

Q. Were you walking all the time or riding a bicycle?

A. Yes. I was walking.

I saw one of the masters of one of our primary schools and with him I went back to Maharajganj and on arrival into Maharajganj we met the Cavalry coming in with Colonel Nawab Khusru Jung and later on with Brigadier Sutherland.

Q. When you passed through Maharajganj I take it that the looting had stopped there and there was no loot actually going on?

A. There was actually no loot going on. It had finished.

Q. What is the name of the master you mentioned?

A. The name of the master is Radha Kishen.

I spent the rest of the day until about 7 p. m. between the second bridge down to the sixth bridge.

Q. What were you doing during all this time? Helping the parties?

A. I was helping parties of Hindus to go from one side to the other.

Q. Were you alone at the time or somebody was with you?

A. We were two. The master Radha Kishen was with me at the time.

Q. What does your teaching staff consist of?

A. Of about 80 persons.

Q. Are they all Kashmiris?

A. Yes. There are two non-Kashmiris.

Q. How many among them are Mohammedans and how many Pandits?

A. We have one Mohammedan master who is not an Arabic teacher. We have one Arabic teacher in each of our schools. In all there are five or six or seven Mohammedan teachers and all the rest are Pandits.

Q. Did any of your school masters tell you that on the 13th or on any subsequent date he had been harrassed somewhere by somebody?

A. Since I came from the holiday I have come to know that one of them was accused of theft and he showed me his statement which he had read before the Commission. On the evening of the 13th I went round to see his house which is situated in an isolated place to see if he was safe. I went to see the houses of all other teachers. Thus I went to see the house belonging to the Science Master Gopi Nath. He showed me signs that stones had been thrown at his house and he also told me that he had reported some of the neighbours to the Police for smashing his house. Then I brought two Sepoys from Yarkandi Serai and asked them to keep an eye on his house during night. That is all I know.

(The Chairman and the Members of the Commission thank you for the trouble you have taken in coming to evidence.)

8th September 1931.

(Sd.) ERIC BISCOE,

Principal, C. M. S. High School.

Certified that the above statement was read over to the witness and was admitted correct by him.

(Sd.) RAM NATH SHARMA,

9th September 1931.

Secretary Enquiry Commission.

WITNESS No. 68 (*recalled*).

Gulam Ahmed Mukhtar, on S. A.

(Ex. 111)

Mr. Mukhtar was desired by the Commission to suggest remedies for what he considered obstacles in the way of Mohammedan education. On this request he prepared a statement which he read out during public sitting of the Commission. The statement is kept on record for consideration.

(Sd.) G. A. MUKHTAR.

Certified that the above statement was read over to the witness and was admitted correct by him.

(Sd.) RAM NATH SHARMA,

9th September 1931.

Secretary Enquiry Commission.

WITNESS No. 96.

Ghulam Qadir Kapra, on S. A.

This is my written statement (Ex. 112).

Q. You state in your written statement that these very laudable preachers merely desire that their *Mutalibats* (demands) may be granted. Will you kindly enlighten the Commission what the *Mutalibats* are?

A. The *Mutalibats* which I know are (1) freedom of religion; (2) proportionate representation in the services that is in proportion to the population.

Q. What in your opinion are the obstructions placed in your way to following the dictates of your religion?

A. It is enacted that if a Hindu turns a Mohammedan his property will go to his collaterals and not remain with him.

Certain mosques are not open to prayers and are treated as ruins and are in-charge of the Archæological Department. I do not know any other obstruction.

Q. Do you know the Mohammedan law that if a Suni Mohammedan changes religion he does not inherit property? Are you aware that if a Mohammedan turns Christian he would not be able to inherit his father's property?

A. I am not aware of that.

Q. If you are not aware of that disability under the Mohammedan law how can you claim that when a Hindu becomes a Mohammedan the law of Hindus should not apply?

A. I have mostly seen that non-Mohammedans become Mohammedans. I do not know of any case of Mohammedan changing his religion.

Q. Are you aware that when one of these ruined mosques which you allude to was offered by the Government to be made over to Mohammedan there was a dispute between two sects of Mohammedans as to who should take possession thereof?

A. I am not aware of that.

Q. How many mosques there are which you say are ruined and are under the charge of the Archæological Department?

A. I know of Pathar Masjid, Khanikah Bulbul Shah, (in my opinion Khanikah is the same as Masjid) Khanikah-i-Sokhta, Masjid of Akhunmal Shah, Masjid Dara Shikoh, Masjid Malshahibag, Gandarbal.

Q. Will Mohammedans be prepared to take charge of these mosques and keep them in repair?

A. Yes such is my opinion.

Q. Were you aware that Abdul Qadeer has been punished for making a speech which was held by a Court of law to be seditious?

A. I did heard it subsequently.

Q. Did you hear or not that this innocent man was being prosecuted?

A. Yes.

Q. Did you make any effort to appear as a defence witness on his behalf?

A. No.

Q. Did you not consider it your duty as a respectable citizen and as an Assessor to give evidence when you knew that an innocent Musalman was being prosecuted?

A. I did not consider it my duty because I had heard that three or four men more respectable than me had given evidence on his behalf.

Q. Who were the men who had given evidence on his behalf?

A. I do not know. I did not hear the names.

Q. If you did not hear the names how did you know that they were more respectable than you?

A. People said that respectable men had given evidence in defence of Abdul Qadeer.

Q. You actually saw Bhagat Karam Chand hitting certain Mohammedans with a Lathi?

A. Yes, I saw him hitting two or four men.

Q. Do you know Bhagat Karam Chand by sight?

A. Yes.

Q. You want the Commission to believe that such a fat Ghee-eating man would have the courage at such a time when the Mohammedans were so excited to hit Mohammedans with a Lathi?

NOTE.—The witness prevaricates. He now says that Bhagat Karam Chand was not actually hitting Mohammedans with his Lathi but was only pressing against them with his Lathi to keep them away.

Q. You say that you had shut your door when you entered your house. How did you then see Kashmiri Pandits and Punjabi Hindus carrying bundles of cloth and some bags of tea?

A. I saw it from my window upstairs.

Q. Do you understand Urdu?

A. Yes.

Q. This Urdu statement was it dictated by you or some-body else wrote it on your behalf?

A. No. I dictated it to my Munshi.

Q. In the statement you distinctly say that the Hindus and Military attacked your house (Hamla Kiya). Now you say they only surrounded it. How do you make this out?

A. What I state is that these men came to my house to attack it. They did not attack the house because certain Hindus interfered.

Q. You say that certain Mohammedans passers-by were forcibly arrested by the Military soldiers and Hindus. Do you know that these Mohammedans had not committed any offence?

A. No body pointed them out that they had committed an offence that is why I say that they were forcibly arrested.

Q. You are talking of property brought out of Khawaja Abdulla Joo Bassu. How do you know that the property brought out was not a stolen property?

A. He himself has a grocery shop and sells grocery. I do not know whether it was stolen property or not.

Q. You have stated that you heard that Hindus had murdered Dr. Abdul Wahid (mar dala hai). Was he really murdered or not?

A. I never said that. What I mean is that the news was that Dr. Abdul Wahid was beaten?

NOTE.—The witness prevaricates. He says that 'mar dala hai' means that he was beaten and not that he was killed.

Q. When you say that you found a women inside the house of Khawaja Gulam Ahmed lying on the ground, did you see any marks of hurt on her body?

A. I did not see any marks of hurt on her body. I saw her in a fainting condition.

Q. Which holy tomb was it at Ali Kadal which you say was defiled and damaged?

A. This is the tomb of Mir Wasi Sahib. There I noticed the glass candle lamps broken. In Gani Atmanz bazar I saw shops being empty and wooden planks lying broken in the bazar.

Q. Did you enquire of the owners how the planks got broken?

A. The owners were not there. I was told that the owners were taken into custody. I questioned some persons as to who looted these shops belonging to them, but these persons did not know.

Q. You declare in your last paragraph that you saw Karam Chand of the firm of Kesho Das with two or three other men taking away packages of commodities and that he was laughing. Do I take your meaning to be that he was making up conditions of loot?

A. Yes. That is my meaning. (loot ki banawat karta hai).

Q. I take your meaning to be that Durga Das Kathomal the owner of the firm brought his goods from Bhuri Kadal to the Brigade Chowki shop?

A. Yes, that is my meaning. I asked some men there and they said that Durga Das was doing so and that they also said some others were also doing the same.

Q. How old is your son Gulam Hussain who you say was arrested and taken away to the Jail?

A. He is 10 or 11 years of age.

Q. Is he still in the lock-up?

A. He was released after twenty-four days on bail.

Q. How is Abdulla Bassu related to you?

A. He is a relation of my father. I do not know him.

Q. Was any relation of yours besides the three persons named above arrested or proceeded against in connection with these riots?

A. No. I do not know.

Q. Did you go to the Jail on the 13th of July?

A. No. I did not go there.

Q. You have referred to certain cases where oppression was practised by the Military soldiers during the riots. Did you report any of these matters to the higher authorities or to any other responsible officer?

A. I did not make any such complaint to any Military authorities. The witness then added that afterwards when the Prime Minister went to inspect the looted shops in Maharajganj he reported to him about the oppression practised by the Military. The witness then added that when the Prime Minister came he told him that if he wanted to see the looted shops, he had better see the looted Mohammedan shops also. On further inquiry the witness however made it clear that he made no complaint to the Prime Minister about the harrassment by the Military but that he had informed a Military officer who was with him on duty on the 16th of July about these happenings.

Q. Do you know the name of the Military officer on duty to whom you mentioned?

A. It is Captain Bhim Sain or Bhim Singh.

(Sd.) GHULAM QADIR KAPRA.

Certified that the above statement was read over to the witness and was admitted correct by him.

10th September 1931. (Sd.) RAM NATH SHARMA,
Secretary Enquiry Commission.

WITNESS No. 97.

Pandit Dina Nath Razdan, on S. A.

7th September 1931.

This is my written statement (Ex. 113).

Q. Where do you live?

A. My house is at Ali Kadal Budger.

Q. Did loot of your house take place in your presence?

A. No. The loot was complete before I reached home.

Q. At what time did you reach your house?

A. 5 p. m.

Q. There was no one in your house when it was looted?

A. No.

Q. Have you any idea who looted your house?

A. My neighbours told me that Mohammedans looted the house. The Mohammedans were going about at the time that is why I think that the information was correct.

Q. Who was the Assistant Superintendent of Police referred to in your statement who you state did not take any action on your report?

A. The Assistant Superintendent of Police at the time was Pandit Sud Koul.

(Sd.) DINA NATH RAZDAN.

Certified that the above statement was read over to the witness and was admitted correct by him.

7th September 1931. (Sd.) RAM NATH SHARMA,
Secretary Enquiry Commission.

WITNESS No. 98.

Pt. Sham Lal Bazaz, on S. A.

7th September 1931.

This is my written statement (Ex. 114).

Q. Where is this shop of yours ?

A. It is near Nalbandpura which is near Safa Kadal.

Q. How far is it from Maharajganj ?

A. It must be about half a mile. There is Nawa Kadal in between.

Q. Were you present when your shop was looted ?

A. I was not present at the time of loot. My servant Kailash Ram was present at the time.

Q. Did he see and recognize those who looted your shop ?

A. Yes.

Q. On what date did you request the Sub-Inspector to search certain houses ?

A. I requested the Police officers at Maharajganj the next day on the 30th of Har. I suggested to them that if certain houses were searched my stolen property would be recovered. The Sub-Inspector refused to search the houses for the reason that higher authorities had stopped searches. This was nine or ten days after the loot.

Q. Why searches have not been made since ?

A. I requested Khawaja Nur Shah subsequently to search these houses but he did not consent. I cannot tell the reason why Khawaja Nur Shah refused to conduct the searches.

Q. Were houses ultimately searched or not ?

A. Searches were made but this was after 21 days. How can there be any likelihood of recovery of stolen property after such a length of time.

Q. What was the value of the property looted from your shop ?

A. The property looted from the shop was worth about Rs. 4,500 approximately. My *Bahi Khata* was also burnt. The witness produced portions of his burnt *Bahi Khata*. He also stated that the outstandings which were represented by the *Bahi Khata* were approximately of the value of about rupees three thousand.

Q. Was any property looted from your shop subsequently recovered ?

A. After 21 days property of the value of only one or two rupees was recovered and the rest has not so far been recovered.

Q. You have stated that you reported about the loot in your shop to the Police on the next day, that is 30th Har 1988 and also requested them to affect house-searches for the recovery of the looted property but no such action was taken by the Police. Did you report this failure on the part of the Police to the higher Police authorities, the Inspector General of Police or the Police Minister ?

A. I did not report to the higher Police officers about this failure on the part of the Police but on the 4th day when Brigadier Sutherland

and 3 or 4 other officers happened to come to the spot I mentioned about that to them but even then no action was taken. All that was done was that my name was noted in the pocket book of one of the officers.

(Sd.) SHAM LAL BAZAZ.

Certified that the above statement was read over to the witness and was admitted correct by him.

(Sd.) RAM NATH SHARMA,

Secretary Enquiry Commission.

7th September 1931.

WITNESS No. 80. (*recalled*).

Pandit Jia Lal Koul.

We have come as far as page of your written statement where you allege that the riot was preconcerted.

Q. You attack policy of drift of Government at page . What did you expect; did you expect people to be shot down?

A. Not at all. For many days after the riot Hindus could not pass by certain streets.

Q. Have you heard the complaint of the Mohammedans that the Military and the Hindus were oppressing the Mohammedans immediately after the 13th of July?

A. I did hear that Mohammedans complained to certain officers of the State when those officers passed through.

Q. Do you think those complaints were correct?

A. I do not think so.

The Chairman told the witness that he was incorrect in thinking that Vicharnag was not visited by officers. Mr. Wakefield and Brigadier Sutherland went to Vicharnag. It is true that they did not go to the houses but they did pass through the market attached to Vicharnag and no Hindu came forward to take them to the houses which were looted?

Q. On page you complain of the authorities holding conversation with those who were considered leaders of the Mohammedans at the time. What would you have done in place of the Government?

A. I do not complain of the Government entering into negotiation with these so-called leaders.

Q. You take so many things for granted. At page you say that there was information about an intended demonstration at Jail. How do you know that Government had information?

A. I know myself that one of the Pandits had sent information to the authorities. Pandit Prem Nath Kanna told me that he had informed the authorities.

Q. How many days was it before the riots that the information was communicated by Pandit Prem Nath Kanna to the higher authorities.

A. I do not know that. All that I mean is that the authorities should have taken prompt action in dealing with the situation in view of the change of the venue from the Court to the Jail.

Q. In para. 16 you find fault with the authorities in not suppressing with a strong hand the riots and after effects of the riots. Have you realised that the Mohammedans are in a very large proportion of the population and it is not an easy matter to effect suppression merely by force?

A. I do realise that and I have already stated in answer to a question earlier that I realise the difficulties of the Government. All I suggest is that the Hindus should also be treated with fairness and equity.

Q. On page you speak of the burning of a Hindu house. The Commission has not had any information about the subject. Where did you get this information?

A. I read a report in the Hindu papers. Personally I have no information on the subject. Very likely I read of this incident in the Tribune.

Q. The Chairman would agree with the witness as to his other observations in the second paragraph of page but he thinks that the witness has dealt too lightly with the complaint of the Mohammedans as to want of representation in the Government services. According to the Chairman it is not sufficient that in a few cases special favour may have been shown to Mohammedans. What the Mohammedans want is a much larger representation in the Government services not merely for the employment of the unemployed but to have a voice in the Government just as in British India the Indians desire Government services not only to obviate unemployment but to have a dominating voice in the Government of the country. Under such circumstances would you not recommend special favour to be shown to Mohammedans in entering Government services?

A. I quite agree that the Government should try its best to encourage them and to educate Mohammedans in order to take them into Government service. But the basis of Government should not be religion. I also think that in communalism there will be a desire of Government to divide the people and thereby strengthen their own hands.

Q. But don't you think there is division already?

A. I think that by reserving posts for Mohammedans this division would be accentuated and emphasised and it is necessary therefore that appointments should not be made on communal grounds.

Q. On page you quote an instance of a Pandit not being selected for a post just because he happened to be a Pandit. On the other hand, only yesterday a certain witness, Peerzada Ghulam Rasul, Headmaster of a school, who unfortunately gave his evidence in camera, gave certain instances where he alleged that Mohammedans were kept back from going for training and joining service, simply because they happened to be Mohammedans. What have you got to say about this?

A. If there have been really such instances, I would be first man to condemn them. I quite grant that if such instances exist, that would be a cause of complaint for Mohammedans.

Q. Do I take it that on the last page what you advocate is that when constitutional or communal concessions are made to Mohammedans, the Hindus and other minorities should also be consulted, and that the matter should be settled after giving equal consideration to the rights of the other parties?

A. Yes. That is imperative.

Q. In appendix (D) you note that there are 424 Muslim teachers as against 500 Hindu teachers in the Kashmir Province. Is that statement accurate?

A. One of the secretaries of the Association has prepared the statement and I believe that it is correct.

Q. What is the Association to which all the Girl Schools are affiliated?

A. To the Womens' Welfare Trust.

Q. Is this a Government Institution or does it get any grant-in-aid from the Government?

A. It was only very recently that they got a grant-in-aid of Rs. 100 p. m.

Q. Have you any idea of the total expenditure incurred by the Trust monthly or annually over the girls education?

A. It is much more. It must be three times the grant-in-aid and over, I believe, but if the Commission is particular about exact figures I can submit the information if asked to do so.

The witness added that it is not to show or express feelings of generosity that a reference has been made by him to this matter. He has been compelled to say these words because a certain witness stated here that we have been inimical and hostile to the Mohammedans.

Q. In regard to these schools it has been stated by one of the witnesses that they are financed partly by the Government, partly by the Municipality and partly by subscriptions raised from the Mohallawalas and that the object of starting these schools was to get employment for Pandit teachers. What in your opinion are the facts of the matter?

A. No. It is not a fact. I believe there is no Mohammedan who subscribes a penny towards them. The object of these schools was never to secure employment for Pandits. The witness added that the President of the Association, Mr. Toshakani, was particular to employ Mohammedan teachers and advertised to secure the services of Mohammedan teachers and even at present the staff of the schools is entirely Mohammedan. That is what I believe.

Q. Did you hear of any Mohammedan shops or houses being looted during or after the 13th of July?

A. I have never heard of any one shop or a house of a Muslim having been looted, during or after the riots.

Q. Did you hear of any house-searches having been made by the Military during the first two or three days of the riot which it is alleged were a cause of oppression to the Muslims?

A. All that I know is that on the 13th and up to the noon of the 14th July searches were made by the Police and in certain cases the Police were accompanied by the Military soldiers in the searches.

(Sd.) JIA LAL KAUL.

Certified that the above statement was read over to the witness and was admitted correct by him.

(Sd.) RAM NATH SHARMA,

10th September 1931.

Secretary Enquiry Commission.

WITNESS No. 99.

Aziz Ahangar, on S. A.

This is my written statement (Ex. 115).

Q. Who beat you?

A. The Military headed by certain Pandits.

Q. Did you recognize any of your assailants?

A. There were three or four Pandits with the Military soldiers. Of the Pandits I recognized only one Devacharra. There were many Military men. I was ill at the time and I cannot exactly tell how many there were.

Q. Where is your house?

A. In Nalbandpora.

Q. How far is it from Maharajganj Bazar?

A. There is Safa Kadal in between.

Q. What was the charge against you?

A. The Military said that I threw stones on them but really was lying ill in my bed and did nothing of the sort.

Q. What trouble did you have in the Jail over the question of food?

A. One day I asked them for a drink of water and I was told by the Pandit servant employed in the Jail "Drink urine" and that I would not get any water. He only said so but he did not actually offer urine to drink.

Q. Did you know what you were charged with?

A. I do not know yet.

(NOTE.—Mr. Sharma will write to the Police and find out on what charge this particular witness was arrested and find out details).

Q. Did you notice any Policemen among the people who entered your house?

A. I was not in my senses by reason of illness and I cannot tell.

Q. Was anything recovered from your house?

A. No.

Q. What happened to your watch and chain?

A. It was taken from me in the Maharajganj Police Station.

(NOTE.—Mr. Sharma will make an enquiry whether any watch and chain of this witness are kept at the Maharajganj Police Station).

Q. How many persons hurt you?

A. At that time I was ill and I cannot answer.

Q. Were any wounds inflicted on you?

A. No.

Q. Were you entered in the hospital in Jail?

A. No. I was not so ill and was not therefore entered in the hospital. I was suffering from ordinary fever. I did not tell anyone

that I should be taken to the hospital of the Jail. I was very much frightened.

Q. Where do the Pandits live who came to your house along with the Military ?

A. I know Devacharra who lives on the other side of the bridge from where I live.

Q. Was there any ill will between you and Devacharra ?

A. No.

(Sd.) AZIZ AHANGAR.

Certified that the above statement was read over to the witness and was admitted correct by him.

(Sd.) RAM NATH SHARMA,

10th September 1931.

Secretary Enquiry Commission.

WITNESS No. 100.

Qadir Zaru, on S. A.

8th September 1931.

This is my written statement (Ex. 116).

Q. Where do you live ?

A. I live in Nalbandpura.

Q. Was there any Policeman in the company of the Military who came to your house with Samsar Chand Wazir.

A. There was no Policeman with them.

Q. Has Samsar Chand Wazir any enmity with you ?

A. Not that I know of, possibly there was one reason for enmity. He kept the shop which I owned. I wanted the shop for myself. So I told him to leave the shop. He might have considered that as a grievance.

Q. Was there any litigation for vacating the shop ?

A. No. He vacated it himself.

Q. What business do you follow ?

A. I do the work of wood carving.

Q. How did you get a thousand rupees ?

A. I have got 3 places of business. I have got many servants and my income is large and that is how I had collected a sum of Rs. 1,000.

Q. Where are the broken boxes ?

A. All the four boxes were left behind by the looters.

Q. Where have you put in an application as regards loot in your house ?

A. I have not given any petition. I did not lodge any camplaint with the Police. All I did was to send the telegrams as stated in my written statement.

Q. When did you not lodge a complaint to the Police?

A. I was frightened. Through fear I remained in the house. Nobody would have listened to me. That is why I did not lodge a complaint to the Police.

Q. When the Police sergeant came to you did you go and see your *Loi*.

A. Yes I did go and see that the *Loi* was mine.

(Mr. Sharma will write to the Police and find out the Police papers relating to the case of this man Qadir Zaru. These papers shall be sent for).

Q. In which ward do you live?

A. I do not know the number of the ward in which my house is situated.

Q. Do you know of a Magistrate and a Police officer being deputed in your ward to hold enquiries?

A. I have no information of that. I did not lodge any complaint to any Magistrate or Police officer.

Q. Did the Military and the other men including Samsar Chand cry out that you had committed any offence?

A. No. No such charge was made against me. Only Samsar Chand pointed out the house and then my door was broken.

Q. What was the name of the sergeant of Police who took you to see the *Loi*?

A. He was sergeant of Baghyas Police Station. He was a Pandit, I do not know his name.

After my telegram was sent the Maharajganj Sub-Inspector took down my statement.

(NOTE.—Mr. Sharma must give details of what this witness states in order to enable the Police to trace out his case).

Q. How far is the house of Aziz Ahangar situated from your house?

A. About 150 yards.

Q. Have you any information as to how many houses of Mohammedans were looted by the Military in your Mohalla in addition to your own house?

A. I have no such information. Neither I have heard of any loot nor saw any.

Q. Did you hear of any Mohammedans in your Mohalla being beaten by the Military or Police?

A. All that I heard was that the Military people caught hold of passers-by on the road and took them away.

Q. Were you informed by the Police sergeant as to how the *Loi* which had been taken from your house by the Military came in the possession of the Police?

A. The Police told me nothing about this.

(Sd.) QADIR ZARU.

Certified that the above statement was read over to the witness and was admitted correct by him.

(Sd.) RAM NATH SHARMA,

10th September 1931. *Secretary Enquiry Commission.*

WITNESS No. 101.

Bakhtawar Khan, Lance Head-constable, on S. A.

This is my written statement (Ex. 117).

Q. Are you a Head-constable?

A. No. I am a Lance Head-constable.

Q. Were you in charge as head of the Police out-post at Maharajganj on 29th Har?

A. No. The officer incharge of the out-post was away. I was most senior officer present at the time.

Q. How many other constables were there at the out-post besides yourself at that time?

A. When I heard the noise there were five other constables there.

Q. To whom did the two shops belong, which you say, had been looted?

A. They were Hindu shops.

Q. Why did you not call other constables when you saw that there was a disturbance?

A. There was a large crowd and I had no opportunity to go and fetch them.

Q. Did you go inside the Post-office and shut the doors?

A. No. I stood outside the Post-office.

Q. Where was Jabar Khan all the time?

A. Jabar Khan also remained there.

Q. Was the door of the Post-office closed or not?

A. It was closed from within.

Q. Where were you when Brigadier Sutherland arrived there?

A. I walked behind him. I was not at the out-post.

Q. What have you to say when the Brigadier says that there was no constable visible at the time?

A. This is not correct. I walked behind him. He had Cavalry with him and I accompanied him.

Q. Then it is not correct that you shut yourself up in your out-post?

A. No, this is not correct. I was not in my out-post at all. I was outside.

Q. Were you and Jabar Khan constable in uniform at the time when you went to the Post-office?

A. Yes. We were both in uniform. I had on a Khaki uniform and a Khaki turban.

Q. What are the names of the Policemen whom you left behind at the Police out-post when you left for the Post-office?

A. The names are (1) Balla Kaul, senior constable; (2) Radha Kishen constable; (3) Lal Chand constable; (4) Amar Chand constable; and (5) Ameer Bat constable.

(Sd.) BAKHTAWAR KHAN.

Certified that the above statement was read over to the witness and was admitted correct by him.

(Sd.) RAM NATH SHARMA,

9th September 1931. *Secretary Enquiry Commission.*

WITNESS No. 102.

Mr. Mohammed Subhan, Sub-Postmaster, Maharajganj, on S. A.

9th September 1931.

This is my written statement (Ex. 118).

Q. You have stated that some of the Mohammedan mob turned back and looted two shops in the neighbourhood of the Sub-Post-office. To whom did those shops belong to the Hindus or to the Mohammedans?

A. One belonged to a Pandit and the other to a Khatri.

Q. Do you know the name of the Muslim blanket-seller who you say saved two shops of Pandits from loot?

A. I do not know his name. His shop adjoins the Post-office on the other side.

Q. What do you mean when you say that this blanket-seller was arrested without injuring his property?

A. What I mean is that Khatris and the Military entered the shop of this Mohammedan but did not take anything out of the shop and only arrested him.

Q. Have you any idea when the Military arrived?

A. At about 3-15 p. m.

Q. Did the Military Infantry arrive first or the Cavalry?

A. There was a difference only of a few minutes. Lorries arrived first and then the Cavalry arrived.

Q. You speak of a gang of Khatris, Sadhus and Pandits coming on to the verandah of your Post-office and attacking two mail boatmen

Ghuffara and Rehmana. Do you remember whether the Military had arrived by then or not?

A. The Military had arrived by then. They were settling about fixing pickets at the time.

Q. What do you mean when you say "plundering their own property and maliciously treating boatmen and boatwomen"? Was this treatment given to them by the Hindus?

A. What I mean is that these boatmen and boatwomen when passing by the way, after the Military had arrived and spread itself, were caught hold of by the Hindus and were deprived of all their clothes and other property they carried leaving only their *Payajamas*.

Q. You say hundreds of innocent Muslims people were mercilessly handled. What do you mean by this?

A. I saw two hundred or two hundred and fifty so handled and arrested. I did not see them all so treated and arrested from my Post-office. I wanted the lorry which had come for me to take me out at once with the Post-office cash but the lorry driver said that he could not go at that time. I had, therefore, to go away from my Post-office with the Military man. I went to Mr. Wakefield to obtain his orders. Mr. Wakefield was in the Ganj at the time. In the very presence of Mr. Wakefield and Brigadier Sutherland innocent Muslim passers-by were being arrested and badly treated.

Q. You speak of one Mussalman being caught by 3 Pandits and one Khatri and being badly beaten and brought on to the verandah of the Post-office. From which place did you see this thing?

A. I saw this from the Post-office verandah itself.

Q. Now you have stated that you went to see Mr. Wakefield at the Ganj. In your written statement you have deposed that as Mr. Wakefield and Brigadier Sutherland passed you jumped out of your Post-office and stopped them and asked them for help. When did this happen which you have stated in your written statement?

A. That was when Brigadier Sutherland and Mr. Wakefield arrived first. After that they went to the Ganj and as the lorryman refused to drive me away with the cash I had to go to Mr. Wakefield in the Ganj.

Q. Did you shut the doors and windows of the Sub-Post-office when you heard people shouting that martial law had been declared?

A. No. I then began shutting the windows and doors. In the meantime some Pandits came there for shelter. The door was opened and they were allowed to enter in when the mob made a rush at that time at the door and the windows were shut.

Q. When did you open the door and the windows of the Post-office?

A. I opened them when Mr. Wakefield arrived there.

Q. What was the time that lapsed between your opening the door and windows of the Post-office and interview with Mr. Wakefield and your actual departure in the State lorry supplied for transporting of Post-office and Government property?

A. About half an hour. It was like this. I requested Mr. Wakefield and he kindly ordered that a lorry be supplied. The Military officer brought the lorry and wanted me to procure orders for him as to what he was to do. I told him that it was not business of mine. He suggested to me that Mr. Wakefield was only in the Ganj and I

might find out. I was not willing to leave the Post-office then but I did go and related the matter to Mr. Wakefield and he said that he would be my escort. I told him that I had to take cash from other Post-offices, and see to the safety of the men in charge of them. He said, never mind. I will take you and it will be all well. I left at about 3-45 p. m.

Q. Did you make a report of this affair to any of your departmental officers?

A. No.

Q. Are you aware of the fact that the persons who you say were injured near the windows of your Post-office gave any written statement to the Post-master?

A. I am not aware of it. Possibly they may have given written statements.

Q. Are you a resident of Srinagar?

A. Yes.

Q. Was any of your distant or near relations arrested?

A. No. I have no relations in Srinagar who could be arrested.

Q. Had you any information before 2-15 p. m. on the 13th of July that there would be a disturbance in the city or that Maharajganj Bazar was going to be looted?

A. I had absolutely no information in regard to any such thing.

Q. Did any Policeman come to your help during the period when the loot started and the time when the Military arrived?

A. There was no Policeman whom I could see there at the time.

Q. You have stated in your written statement that some Khatri were beating a Mohammedan. Do you know the names of the Khatris who were so beating him?

A. I do not know their names nor can I identify them.

Q. Did you hear at the time of the loot that the loot in the bazar had been incited by a particular individual?

A. No, I did not hear of any such thing.

(Sd.) MOHAMMED SUBHAN,

Sub-postmaster Maharajganj.

Certified that the above statement was read over to the witness and was admitted correct by him.

(Sd.) RAM NATH SHARMA,

Secretary Enquiry Commission.

9th September 1931.

WITNESS No. 103.

Mufti Jalal-ud-Din, on S. A. (Age about 25 years).

Q. Did you send this letter without date to the Secretary of the Official Enquiry Committee ?

A. Yes.

Q. Is this your signature at the bottom Mufti Jalal-ud-Din ?

A. Yes.

Q. Are you Secretary of the Muslim representatives ?

A. No.

Q. Then why do you describe yourself as Secretary of Muslim representatives ?

A. I do not know who wrote that description of mine. I made over the application to Mr. Ghulam Qadir. He is perhaps a correspondent of a paper. He attends the Commission hearing every day.

Q. Was not this description of yours entered in the application when you made it over to Mr. Ghulam Qadir ?

A. No.

Q. In what capacity then did you send this letter to the Secretary ?

A. Only in my individual capacity.

Q. Have you questioned these witnesses whom you recommend for examination ?

A. I have not but I am Mufti, that is law-giver according to *Sharah*. People who have disputes come to me for decision of their disputes. Some of these witnesses told me themselves that they know something and about the others I have heard from others that these witnesses know something.

Q. Did Mr. Noor Din Qari speak to you ?

A. No.

Q. Master Abdul Aziz ?

A. No.

Q. Dr. Noor Din.

A. No.

Q. Mohammed Subhan?

A. No.

NOTE.—Mr. Mohammed Subhan has already been examined.

Q. Qazi Chulam Rasul ?

A. No, he did not speak to me.

Q. Kh. Abdul Aziz Mantu ?

A. No.

Q. Kh. Abdulla Joo Kapra ?

A. No.

Q. Kh. Abdulla Joo Bassu ?

A. No.

Q. Kh. Samad Sheikh ?

A. No.

Q. Mohd. Yahya Rafiqi ?

A. Yes, he spoke to me.

Q. Is he one of those accused of riot at the Jail ?

A. I do not know.

Q. Then why do you call him a prisoner ?

A. Because he was put in prison.

Q. Was he put in prison as one of the rioters at the Jail ?

A. I do not know.

Q. Did Qazi Gula Sahib speak to you ?

A. No.

Q. Sultan Khan ?

A. No.

Q. Qutub Din ?

A. No.

Q. Yusuf Shah ?

A. No.

Q. Ghulam Mohd. and Asad But ?

A. No, they did not speak to me.

(NOTE.—Asad But was a witness mentioned before but as similar witnesses Ahmad But and Sikandar Beg were examined by the Commission the Commission did not see the necessity of examining Asad But Barqandaz also who was supposed to give similar evidence.)

Q. Did Mrs. Thakur Das speak to you ?

A. No, she did not speak to me.

Q. Is your father alive ?

A. Yes.

Q. Then the Mohammedans must be coming to your father to get disputes settled and not to you ?

A. No, people come to me also. Both my father and I work as Muftis. I also have passed examinations in Arabic and I have got my own separate seal of Mufti.

(Sd.) MUFTI JALAL-UD-DIN.

Certified that the above statement was read over to the witness and was admitted correct by him.

(Sd.) RAM NATH SHARMA,

9th September 1931. *Secretary Enquiry Commission.*

WITNESS No. 104.

Dewan Dhanpat Rai, Additional Sessions Judge, Srinagar, on S. A.

10th September 1931.

Q. You were Governor in Jammu for some time?

A. Yes. I was Governor for nearly 17 months.

Q. There was Mohammedan agitation during the term of your tenure of office?

A. There was some.

Q. How did you deal with it?

A. I dealt with this according as the situation arose.

Q. When there was this hubbub about *Tauhin-i-Quran* what did you do.?

A. I was not present in Jammu on the day when this incident occurred. I was directed by my superior officer the Revenue Minister to go to Kathua and Basohli to make an enquiry. I, therefore, so far as I remember left Jammu on tour at the end of May. I cannot remember the exact date.

Q. Why did you not come back on hearing of this trouble?

A. I never heard of it. The first time I heard of it was on the 8th or 9th of June when I returned to Jammu.

Q. You were absent when Mr. Wakefield arrived to hold an euquiry into the *Tauhin-i-Quran* case?

A. Yes, I was away from Jammu.

(4th June the *Tauhin-i-Quran* incident occurred—8th June Mr. Wakefield went to Jammu).

Q. On what date did you return to Jammu?

A. I returned either on the evening of 8th or 9th June.

Q. Mr. Wakefield had then arrived when you returned to Jammu?

A. When I returned to Jammu my Assistant told me that Mr. Wakefield had arrived.

Q. How was your information so deficient that you did not hear of the trouble in Jammu though it was so serious that a Minister of the State had to go to Jammu in consequence thereof?

A. There is no telegraphic communication at Basohli. I did not hear of the trouble at Basohli. Nobody informed me. It was the duty of those who were in Jammu to inform me. While the D. M. is away A. D. M. was incharge and he or my Assistant never informed me.

Q. We have called you for a special purpose to find out whether you were able to take action directly or had you to take the permission of the Minister in charge of the Political Department?

A. Whatever was within my Province to do I did. About the middle of May I made as many as 6 or 7 representations some by telegram and some by post to the Inspector General of Police and the Police Minister. I sent the copies to my superior the Revenue Minister.

Q. What was the nature of these communications?

A. The nature of these communications was that I wanted to know the specitic policy of the Government. So far as I gathered seditious speeches were made by Mohammedans in mosques and by Hindus in temples and I desired to know whether the Government policy was that action should be taken in such cases or whether I should hold my hand until Statute law had been modified. Under the Statute law temple and mosque were not included within a "public place" and that was the difficulty of taking action.

(NOTE.—The Chairman expressed his opinion that sedition did not require any particular place for making it an offence and was punishable wherever practised).

On hearing this note the witness added, I got reports from D. I. G. P. of Jammu and I ordered him to take action. There is a large file of correspondence between me and the Police, the Commission may send for it.

Q. What action was taken?

A. The D. I. G. P. reported to me that the law was silent on the point and he wanted specific order whether action should be taken or not. Thereupon I referred the matter to higher authorities.

Q. Do you consider the I. G. P. a higher authority than yourself the Governor?

A. I do not mean that the I. G. P. was a higher authority than myself the Governor, who I knew was the head of the Police. I wrote to the I. G. P. as higher officer than the D. I. G. P. to carry out my order as the D. I. G. P. had raised an objection to carrying out my orders. I received no reply to my various communications by telegram and by post. During this interval Mr. Wakefield happened to go to Jammu and I had a talk with him on this subject. I went to see him and reminded him about these communications.

Q. When was this?

A. This was after my return from Kathua. Mr. Wakefield informed me the policy to be "ahistah ahistah karo" (go slowly). He also told me in Urdu that if necessity arose he will send me a draft notification under Section 144 Cr. P. C. I replied to him that I had an experience of a Magistrate of 22 years and was quite capable of drafting a notification under that Section of the Code of Criminal Procedure myself.

I again spoke to him that I was waiting for a reply to my previous communications. This was the reply which I received on my insisting that a reply should be given to my previous communications. He also said to me in Urdu that after going to Srinagar he will get Statute law enacted in this matter by His Highness the Maharaja Bahadur so that meetings may be stopped in mosques and temples also.

Q. The main question you have not answered yet. Did you consider yourself efficient enough to take action as District Magistrate or did you consider it necessary to get the permission of the Political Minister?

A. I have already stated that I considered myself fully capable of taking action and I took all the action that was necessary.

Q. But so far you have not stated any definite action that you may have taken?

A. After receiving this verbal communication from the Police Minister and on receiving report from the D. I. G. P. of Jammu that action should be taken under Section 144 Cr. P. C. I held a personal enquiry whether such action was absolutely necessary or not. As a result of the enquiry I did not consider such action necessary. I there-

upon directed the D. I. G. P. to take action against the ring-leaders under Section 107 Cr. P. C.

Q. Was such action taken ?

A. No, the police slept over my orders and then I had to report to the I. G. P. that my orders were not obeyed.

Q. When was this ?

A. I believe it was after I saw Mr. Wakefield.

Q. It is the opinion of the Commission that the seditious movement in Jammu was allowed to go out of hand. Are you responsible for that or not?

A. In my opinion the movement did not go out of hand while I was incharge as District Magistrate of Jammu.

Q. Do you mean to say that seditious meetings were not held in Jammu during your time ?

A. They were held but they were held in mosques and temples and I took what action was possible. They were held in the guise of sermons. They were said to be *W'az*. They were not proper seditious meetings.

Q. What is the difference you draw between a proper seditious meeting and an improper seditious meeting ?

A. They were held in the shape of *W'az* and actually as seditious meetings.

Q. The Chairman observed that the witness had not yet spoken of any definite action taken by him ?

A. The witness asserted that he did take definite action. He directed the Police to take action under Section 107 of the Code of Criminal Procedure and there were prosecutions under that section on the 1st of July. I was removed from office on the 3rd of July. Action under Section 144 which the Police desired to take was not taken even up to the 14th of August that is a month and a half after I was relieved of office.

Q. Who was the Police Minister during the time you were District Magistrate of Jammu ?

A. As far as I remember the Police Minister was Mr. Wakefield.

Q. You have already stated that in matters in which you could take action according to law as District Magistrate you were quite free to take action on your own reponsibility. Did you at any time during your term of office as District Magistrate receive any hint direct or indirect from the Police Minister that in matters in which you could take action as District Magistrate according to law you were not to take action in regard to political matters without first consulting the Police Minister ?

A. So far as I remember no such hint or order was given to me. As I have already submitted I thought I was competent to take action myself and whatever action I considered proper I myself took on my own responsibility. The witness added that during his term of office as District Magistrate there was some communal trouble in Reasi and in regard to that he took action himself on his own responsibility as District Magistrate and had the trouble amicably settled. The witness added that the trouble in Reasi was nipped in the bud. The witness added that after he saw Mr. Wakefield on his return from Kathua Mr. Wakefield had a Conciliatory Board constituted in Jammu and he asked

him to take action in regard to communal matters with the consultation of the Conciliatory Board and keep him informed from time to time about the action taken by the Conciliatory Board. The witness then added that the Conciliatory Board constituted by Mr. Wakefield proved an absolute failure and the witness informed Mr. Wakefield of that. After that the witness ordered the Police to challan the ring-leaders of both communities who were responsible for the trouble.

The witness added that he has prepared a statement containing suggestions to obtain communal peace in future.

On 6th May 1930 it was the Gandhi Day and there was disturbance in the town. A donkey was taken out but it was due to my tact that everything subsided and there was no necessity for firing. In February 1931 there was trouble over a mosque. A mosque was built just near a temple of Shiv. A construction was started and a platform was built. Telegrams kept pouring to the Maharaja Bahadur, the Cabinet and to me. When the situation became very acute I proceeded from Jammu, to Reasi.

Mr. Salam Shah was Wazir Wazārat there and Mr. Mubarik-Shah was the Munsiff. The Hindu public and the Megh public complained against these officers. These officers must have seen this place as it was in their way from house to office. If I had not gone there and delayed a day more I do not know what would have happened. Certainly blood-shed would have occurred. I went to the spot accompanied by the Wazir, the Hindu, the Megh, and the Mohammedan public. I sent for the old record available from the Wazir's office. The record related to three Settlements. There were three records in which Settlement was drawn up. The place where the Mohammedans had constructed the platform was entered in the name of the *Sirkar* and the place used as *Mufid-am*. I showed this to my brother Wazir and also to Mohammedans as to what right they had. The Mohammedans had no answer.

NOTE.—The Mohammedans are carrying on litigation in the law Courts.

The Mohammedans therefore entered into a compromise. I gave them some time they did not come to any finding. I then took down the statements. There is the file on the subject.

After I took 60 or 70 statements the Mohammedans told me that they will enter into a compromise. By reason of my tact and advice the Mohammedans entered into a compromise. That compromise is on the file. In this they admitted that it was under a misunderstanding that they used this as platform. They themselves removed the platform. This is the second instance of my time.

Then there is the Akhnoor affair. There was the same Hindu-Mohammedan mosque question. That also was nipped in the bud by me. Nothing untoward took place in my time.

The witness read over the statement (Ex. 119).

(Sd.) DHANPAT RAI,
Additional Sessions Judge, Srinagar.

Certified that the above statement was read over to the witness and was admitted correct by him.

(Sd.) RAM NATH SHARMA,
Secretary Enquiry Commission.

15th September 1931.

WITNESS No. 105.

Mrs. G. Thakur Das, on S. A.

The statement was taken in the Chambers of the Chief Justice because Mrs. Thakur Das represented that she was a lady and did not like to give evidence in public. She was however told that the statement was not in camera but was public.

This is my written statement in Urdu (Ex. 120).

Q. What is your business?

A. I am a private Medical practitioner and also practise Mid-wifery. I was in State service before.

Q. Since when have you been in private practice?

A. I have been in private practice since June of last year.

Q. On the day of the occurrence did a European officer question you, Brigadier Sutherland?

A. I do not know him by sight. A European officer did come and question me.

Q. What did you tell him?

A. I told him that I heard noise from the direction of Tashawan when my son came and asked me for permission to go to school. I did not know for what reason a gun was fired. I told him that I had no knowledge or information as to why the gun was fired at Tashawan. I said that I have only heard the gun fire and did not know any thing else. Then he asked me did you hear any noise or a cry to indicate that people had attacked the Military. I answered that I had no knowledge. Then he asked me why did firing take place here. To tell the truth the crowd did not come on this side of the bridge. It is possible that this boy may have come out of the crowd from the Tashawan side. This youngman, the witness added, who was 27 or 28 years old may have come from Tashawan and may have been shot by the Military, but I did not see this youngman coming from the Tashawan side but only saw him standing on the bridge. He then asked me why I came out. I replied that my son took permission from me and went out and that is why I came out from my house behind him. I did not tell anything else to the European.

Q. Why did you not tell the European that the men were shot without cause as you have stated in your written statement?

A. I told the European that the fire took place here without any fault.

Q. Do you know English?

A. Yes. But I talked to the European officer in Urdu.

Q. Do you know the Minister Colonel Nawab Khusru Jung by sight?

A. No. I cannot say whether he was present or not. Two motor cars came. Three or four men were in the car.

I saw two men who were wounded; one who was shot at first was hurt on the foot of the left leg so far as I remember. The Bihishti was hurt on the left upper leg so far as I remember. I did not see the wounds of the man who was shot dead because blood was spurting out of him, so I could not see his wounds. I told the crowd to let the three people remain on the spot to be seen by the Military officers but the crowd did not listen to me and removed the dead body and the wounded persons.

Q. The European officer with whom you talked has stated your talk to be as follows:—(Page 193).

"There was only one person Mrs. Thakur Dass who came out of her house at that time and she had informed me that there was a clash between the pickets and the crowd and that stones had been thrown at the troops and that was the reason why the firing had been made."

The statement was read over to the witness in English because she knows English.

A. I never made any such statement. I never told him that the crowd threw stones at the troops. No stones at all came there.

Q. Then in your opinion the European officer is telling a lie?

A. How can I tell that he made a false statement. All I know is that I never made any such statement to him.

The witness added that the European asked her whether she could recognize the Military and she replied him in the negative.

Q. Do you know the names of the two persons who were wounded as a result of the firing at the Nawa Bazar?

A. No.

Q. Do you know the places where these two wounded persons live?

A. No. I don't know.

Q. At the time when the firing took place in Nawa Bazar, in which two persons were wounded and one killed, did you see at the time of the firing any crowd attacking the Military patrol, or throwing any stones at the patrol or coming near the patrol or trying to snatch away their rifles?

A. I was present at the time when the firing took place in Nawa Bazar and I did not see any crowd attacking the Military patrol or throwing any stones on them, or coming close to them or trying to snatch away their rifles. So far as I saw there was no provocation on the part of the crowd.

The Chairman particularly asked the witness why she had left the State service.

A. I left State service for my own reasons. There was no dispute with anyone. I resigned of my own will.

(Sd.) G. THAKAR DAS PRASAR.

10th September 1931.

Certified that the above statement was read over to the witness and was admitted correct by him.

10th September 1931.

(Sd.) RAM NATH SHARMA,

Secretary Enquiry Commission.

WITNESS No. 106.

Qutub Din, Constable No. 566, on S. A.

This is my written statement (Ex. 121).

Q. You state in your written statement that after the Governor arrived there were slogans shouted from outside the compound of the Jail whereupon firing was ordered. Do you remember any persons of the crowd being arrested after the slogans and before the firing?

A. I do not know of any such arrests. The witness added that arrests were made after the firing.

Q. Was a Head-constable brought inside the Jail wounded before the firing?

A. I have no recollection of that.

Q. Do you know Gopi Chand, constable?

A. No, I do not know him. He has only recently come from Langet.

Q. Do you remember Gopi Chand being brought into the Jail prior to the firing?

A. No.

Q. Do you know Gurdit Singh, constable?

A. No.

Q. Do you remember Gurdit Singh, constable being brought into the Jail before the firing?

A. No.

Q. Do you remember the Police Lines attached to the Jail being set fire to?

A. No, I was inside the Jail, so I do not know.

Q. Did you hear of the fire when you went to your quarters and missed your *charpoy* and two *puttoo* sheets?

A. Yes, people said then that quarters were set fire to.

Q. When you were inside the Jail how did you see that the constables who were firing went outside the wooden gate and fired?

A. I saw this because I was behind the iron gate. I could see through the bars.

Q. How many armed constables went and fired inside the garden that is beyond the road opposite the Jail compound?

A. I cannot say the exact number, but they were 15 or 16.

Q. How many rounds did they fire?

A. I cannot give the exact number, may be 150 or 200.

Q. From what time to what time were you on duty at the Jail?

A. I was to remain on duty from 12 noon to 3 p. m. but that day that is on the 29th Har 1988 (13th July 1931) I actually remained on duty till 4-30 p. m.

Q. Did you remain all the time from 12 noon to 4-30 p. m. just behind the iron gate of the Jail or did you go away anywhere else during this time?

A. I remained at the iron gate of the Jail all this time and I did not go anywhere else.

Q. How long before the arrival of the Sessions Judge at the Jail was one *kunda* of the iron gate broken?

A. I do not know the exact time when the *kunda* was broken but it had been broken before I came to the gate on duty that is before 12 noon.

Q. Did the crowd which had assembled at the Jail make any attack on the iron gate or did they come near and touch the gate?

A. No. The crowd never made any attack on the iron gate nor did they ever come near that gate.

Q. Did you hear the Governor, the D. I. G. Police or any other high officer addressing the crowd and asking them to disperse or they would be fired upon?

A. I have no knowledge of any such declaration being made by the Governor, the D. I. G. or any other high officer. All that I could see was that some Police constables were speaking something to the crowd which I could not hear.

Q. You have stated that the firing first started from behind the wooden gate and then from the road between the Jail compound and the almond grove and then from inside the grove itself. Could you state as to how many shots were fired from each of these places and did you see with your own eyes anybody entering the grove?

A. At first one round was fired from the compound that is behind the wooden gate of the Jail and then some Policemen went out to the road and fired at the crowd from there right and left. I did not see anybody going inside the grove and firing from there.

Q. In your written statement you have stated "Samne bag men jakar fire karne lage". Is this true or false?

A. It is false. (The witness says he does not know. He is illiterate. He says that he can only sign his name).

Q. How do you know that the Governor ordered to fire?

A. He was above the *deorhi*. He came down, walked out of the *deorhi*. went out and ordered fire. He gave this order to the D. S. P. Mr. Thappa.

(Sd.) QUTAB DIN,

Constable No. 566.

Certified that the above statement was read over to the witness and was admitted correct by him.

(Sd.) RAM NATH SHARMA,

10th September 1931. *Secretary Enquiry Commission.*

WITNESS No. 107.

Yusuf Shah, Head-constable No. 309, on S. A.

This is my written statement (Ex. 122).

Q. Did you see any firing?

A. No, I did not see any firing because I was inside in the centre of the Jail.

Q. Why did you go inside?

A. I was on duty there and that is why I was there.

Q. Do you know anything about the riot?

A. No.

(Sd.) YUSUF SHAH,
Constable No. 309.

Certified that the above statement was read over to the witness and was admitted correct by him.

10th September 1931.

(Sd.) RAM NATH SHARMA,
Secretary Enquiry Commission.

WITNESS No. 108.

Dr. Noor-du-Din Khan, S. A. S., City Dispensary Srinagar, on S. A.

This is my written statement (Ex. 123).

Q. Do you know by name any of the men who attacked your door?

A. No. I can recognize some of them by their faces if I see them.

Q. What do you mean by the Military?

A. By the Military I mean Cavalry men. There were two or three men on horse-back.

Q. Can you tell whether they belonged to the House-hold Cavalry or to the Body-Guard?

A. I cannot tell.

Q. Can you tell whether these two or three men were Hindus or Mohammedans?

A. I cannot tell. I saw them from a distance.

Q. Did these three Cavalry-men also knock at your door and throw stones at your house?

A. I cannot tell. My door is far from my house where I was. They however entered the outer compound of my house.

Q. From what portion of your house were you looking on?

A. I was looking on from the top-most floor of my house *i. e.* 4th storey, through panes of glass of my window.

Q. Did you see all the rest which you describe in your written statement from the same place?

A. Yes. I noticed the other events mentioned in my written statement from the same place of vantage.

Q. How far is Ali Kadal bridge from your house?

A. It is about 200 yards.

Q. Can you see the Ali Kadal bridge from the place where you were standing and looking on?

A. Yes. The bridge can be very clearly seen from where I was.

Q. Did you give a description such as you have stated in your written statement to any authority prior today?

A. No. I did not state it to any authority.

Q. You must have spoken to your friends about this matter?

A. No. I did not speak to anyone in particular.

Q. If you did not speak particularly to anyone about this matter, how was your name given to the Commission as one of the persons who knew something of the events?

A. Possibly my neighbours may have spoken about it or my children or others who reside in my house.

Q. Are you a Sub-Assistant Surgeon in the City Dispensary?

A. Yes.

Q. Are you a bonafide Kashmiri subject?

A. Yes.

Q. You are an educated Mohammedan gentleman and a Government officer. Did you not think it your duty to bring to our notice the facts that you witnessed on the day of the riot? Your statement is dated only this morning and your name is suggested by chance to us by another Mohammedan. What have you got to say in this matter?

A. I did not think it necessary to give this information to the Commission.

Q. Can you give an idea of the time when your house was attacked with the intention to break through it?

A. Approximately it was beween 4 and 5 p. m.

Q. Can you say what arms the Cavalry-men were carrying whom you cannot identify?

A. They had guns. In fact they pulled the triggers of un-loaded guns.

Q. Were the persons who accompanied the Military when an attack was made on your house, the residents of the same Mohalla in which you live and could you identify those persons?

A. The persons who accompanied the Military are shop-keepers in the same Mohalla in which I live and I can identify them.

Q. Who are in majority the residents of your Mohalla, Hindus or Mohammedans?

A. The majority of the residents in that Mohalla are Mohammedans.

Q. How many Mohammedan houses in your Mohalla were attacked by the Military?

A. I saw only three Mohammedan houses being looted and I cannot say about any other houses being looted as I did not see them.

Q. Did any of your neighbours whose houses you have stated were looted by the Military, made any complaint to the higher authorities?

A. The neighbours whose houses were looted and whose names I have mentioned in my written statement were arrested that very day and so there was nobody to make any complaint to the authorities.

The witness added that these persons were so frightened that they did not dare to go out of their houses and make any complaint to anybody. They submitted their petitions to the Mir Waiz which were subsequently returned to them.

11th September 1931. (Sd.) NUR-UD-DIN KHAN.

Certified that the above statement was read over to the witness and was admitted correct by him.

(Sd.) RAM NATH SHARMA,

11th September 1931. *Secretary Enquiry Commission.*

WITNESS No. 109.

Maulvi Noor Din Qari, on S. A.

This is my written statement (Ex. 124).

Q. When did you leave your school on the 13th of July?

A. It was about 4 p. m. or 10 minutes past 4 p. m. which was the usual time for the closing of the school.

Q. Where is the shop of Ghulam Rasool, book-seller?

A. It is at the commencement of Maharajganj. It is on the other side of the Post-office.

Q. How far is the Post-office from the shop of Ghulam Rasool?

A. It must be about 50 or 60 paces away.

Q. Was it the same boy of 15 or 16 who you say, was being beaten by Gogu that you found lying subsequently dead?

A. Yes.

Q. Did you recognize the boy who was being beaten?

A. No. I did not see his face. His face was towards the shop and I was on the other side.

Q. Did you see the face of the dead body which you allege to be lying there when you came out of Shiv Ram's shop?

A. No. There were five or six men standing around him.

Q. You think that the boy was dead because it was motionless, or did you touch him with your own hand?

A. I did not touch him. I was at a distance. I call him dead because he was motionless.

Q. How far did the boy lie from the shop of Shiv Ram?

A. Five or six paces away.

Q. Why did you leave the shop of Shiv Ram when you knew that Mohammedans were being badly treated in the open?

A. Shiv Ram told me to go after a short time.

Q. The Postmaster has stated here that he left the Post-office soon after the Military arrrived with the help of Mr. Wakefield. You say that the Postmaster told you after an hour to go home, how can these two statements be reconciled?

A. By an hour I mean approximately an hour.

I have got his written statement in which he states that I took refuge in his Post-office.

Q. Where is the shop of Amal Khan?

A. It is at the end of Takya Serai street.

Q. How far is it from the Post-office?

A. It must be about 150 or 175 paces from the Post-office.

Q. You speak of a Cavalry man, can you tell me to which Cavalry he belongs?

A. No.

Q. You speak of the Cavalry man dragging you, how did he catch hold of you? Did he bend down to catch hold of you, or was his arm particularly long?

A. No. He bent down. I am also tall.

NOTE.—The witness is not particularly tall.

NOTE.—The witness is very fond of listening to his own voice. He has no patience to listen to questions. After some difficulty he replied that the Military men who had arrested and surrounded many Mohammedans were not Cavalry men but Infantry.

Q. How do you know that Kh. Abdul Aziz Mantu, his servant Akbar Shah and Abdulla Joo Kapra were arrested without any cause and had not committed any offence?

A. I questioned them and they told me that they were innocent and were falsely arrested.

Q. How do you know that the boatmen of Maharajganj who were brought to the spot where you were under arrest at Maharajganj were innocent men? Did you ask them at the time?

A. I did not question them at the time. Subsequently in the Jail lock-up we were all together and we used to talk and there I understood that these boatmen were innocent.

Q. Do you know whether these boatmen are being prosecuted for some offence or not?

A. I do not know.

Q. You speak of everything except cash taken from the Mohammedans being stored there; do you mean on the public road?

A. Yes, all these things were stored on the public road.

Q. What time was it when this thing happened?

A. I cannot be certain about the time. I have no idea. It was drizzling at the time.

Q. You complain of the Shergarhi Police Station lock-up being unclean; was it made specially unclean for you or was that its ordinary state?

A. I do not mean to say that it was particularly made unclean. There was bad smell there.

Q. Do you expect that when you are put in a lock-up whether rightly or wrongly you are entitled to free speech with your relatives, a clean bed and lots to eat ?

A. I am only emphasising the difference of treatment between me and the two Pandit prisoners in the same lock-up.

Q. What do you mean by the order of your suspension? By whom was it issued ?

A. It was not an order of suspension in my name particularly. The Inspector had issued an order that all who were arrested should be suspended. I then pointed out that I was arrested without reason and was released without bond and that the Head Master may be consulted. Thereupon the order was not applied to me.

Q. Where is your school ?

A. In Dilawar Khan's Bag.

Q. Where do you live ?

A. In Wazapura beyond Maharajganj.

Q. When you arrived there was loot going on or had finished ?

A. When I went there I only saw shops closed. During the whole time that I was maltreated, beaten, arrested, and detained, I never saw any shop looted there. Every shop was closed.

Q. Can you explain why Shiv Das should have accused you of having looted him ? If the charge is entirely false, was there any previous enmity ?

A. I don't know myself. There was no previous enmity. I am surprised at his accusation.

Q. Did anybody besides you take shelter in the Post-office ?

A. No, I was the only stranger that is as long I was there. Others were employees of the Post-office ?

Q. Are you quite sure that there was no other stranger who took shelter there ?

A. Yes, there was no other in my presence.

Q. Was anybody of the Post-office or in the Post-office injured ?

A. Nobody was injured in my presence and I saw no person injured there.

Q. Had this Post-office peon Subhan Khan any injury ? Was he beaten ?

A. No.

Q. You talk of a Compounder sprinkling salt on the wounds; is that literally true ?

A. No, it is only an idiom. What I mean is that instead of relieving pain he intensified it.

Q. You complain of not having been allowed to say your daily prayers in congregation in Jail. I presume you have never been to Jail before. Do you know that daily congregational prayers are never allowed in Jail ?

A. Yes, I have never been in Jail, I don't know that congregational prayers are not allowed in Jail.

Q. With which hand the Cavalry man caught hold of you?

A. He seized my left arm with his left hand.

Q. Can you describe how this Cavalry man was armed?

A. He had a gun and had a bayonet fixed on it.

Q. I am asking you about the arms particularly to ascertain the Cavalry to which the Sawar belonged. Are you quite sure about the arms of the Cavalry man?

A. Yes I am certain as anything. It is now before my mind's eye and I can picture the gun with the bayonet fixed to it.

Q. You have stated that a certain Mohammedan gentleman told you that he was saying prayers in a mosque when he was stopped with a bayonet, arrested and brought back. Did he state in what mosque he was saying prayers at the time?

A. The gentleman in question is Mohammed Ahsan or Hasan. He said he was saying prayers in Tenki Sarai Masjid.

Q. When did you obtain certificate from the Post-master?

A. I do not recollect the exact date, but it was 2 or 3 days after my release. The witness adds that his brother got this certificate from the Post-master while he was in Jail.

My brother's name is Badar-ud-Din and I am quite certain that he got it. At that time I was still in Jail.

Q. When were you released?

A. On Friday about 12-15 in the afternoon.

Q. This certificate is dated Friday, that is to say it was got on the same day on which you were released and not prior to that. Is it so?

A. This is not the original certificate. That was a different one. I got it subsequently changed. The witness adds that that certificate looked suspicious as there was something cut in it and it was on a yellow paper and something was printed on it. That is why I got this certificate instead of that.

Q. You have stated that you saw a Mohammedan boy being done to death by a Pandit and that you could not see the face of the boy at the time. Were you able to find out subsequently who the boy was and what happened to his dead body?

A. No, I could not find out anything about that boy and nothing was known about the dead body.

Q. You have stated that you left the school at the usual time on the 13th of July about 4 or 4-30 p. m.; did you mark any school register at the time of your departure from school?

A. The time of departure from school is not entered in any register.

Q. You have stated that the Head Master of the school accompanied you upto Zena Kadal when you left the school on the afternoon of 13th July. Will the Head Master be able to verify this part of your statement?

A. Yes, the Head Master has already written to the Education Department about this fact.

Q. When you accompanied the Head Master on your departure from the school on the 13th of July why did you not try to get a certificate from the Head Master to that effect instead of obtaining a certificate from the Post-master?

A. An attempt was also made to obtain a certificate of my accompanying the Head Master from the Head Master of the school and the Head Master was willing to grant the certificate but as I had already been released from the Jail the necessity of obtaining that certificate was not felt.

Q. You have stated in your written statement that when you were arrested and taken away by the Military men you saw one Bhagat and you appealed to him to have you released as he knew you beforehand. What is the name of the Bhagat?

A. His name is Bhagat Karam Chand.

Q. You have stated that you appealed to Bhagat Karam Chand for help in getting you released as he knew you beforehand but instead of helping you in your trouble he also stated that you were a scoundrel and deserved the treatment which was being meeted out to you. How was it, had Bhagat Karam Chand any ill-will against you?

A. There was no ill-will between me and Bhagat Karam Chand. On the other hand I had once an occasion to work under him in connection with the Cleanliness Week sometime ago. I was therefore surprised that he did not help me at the time.

(Sd.) MAULVI NOOR DIN QARI,

Teacher, Government High School, Srinagar.

Certified that the above statement was read over to the witness and was admitted correct by him.

11th September 1931.

(Sd.) RAM NATH SHARMA,

Secretary Enquiry Commission.

WITNESS No. 110.

Abdulla Joo Kapra, on S. A. (Ex. 125).

A very long statement of this witness was read in public. It deals mainly with the nature of investigation and the treatment which the witness received in Jail. The statement has very little to do with the occurrences into which we have to enquire that is of the riot on the 13th of July and its causes. The Chairman does not desire to put any questions to the witness.

Q. When was the first written complaint made by you about the loss you suffered?

A. On 9th or 10th of Sawan. I made a written complaint to the Governor one or two days after I was released from the Jail.

Q. When was your shop in the Maharajganj looted and what was the approximate value of the property that was looted?

A. My shop was looted on 29th of Har 1988 and the loss roughly amounts to Rs. 22,000.

Q. Were any Mohammedan shops looted in that bazar where your shop is situated on the 29th of Har 1988 or subsequent to that date?

A. In the bazar where my shop is situated nó other shop was looted belonging either to a Hindu or a Mohammedan. There are five Hindu shops near my shop and they were not looted also.

(Sd.) ADULLA JOO KAPRA.

Certified that the above statement was read over to the witness and was admitted correct by him.

11th September 1931.

(Sd.) RAM NATH SHARMA,

Secretary Enquiry Commission.

WITNESS No. 111.

Mirza Noor Din, College Student, on S. A.

This is my written statement (Ex. 126).

Q. What is the day you refer to in your statement?

A. It is day of the shooting at Nawa Bazar (15th July).

(Sd.) NOOR DIN.

Certified that the above statement was read over to the witness and was admitted correct by him.

(Sd.) RAM NATH SHARMA,

Secretary Enquiry Commission.

WITNESS No. 112.

Mohammad Maqbool, on S. A.

This is my written statement (Ex. 127).

Q. Have you been prosecuted so far?

A. No. I have not been prosecuted but I was released on bail.

Q. Were you in the Jail for any time?

A. Yes. I was kept in Jail for nine days.

Q. Are you son of Abdulla Joo Bassu?

A. Yes.

Q. Was Abdulla Joo Bassu implicated in any charge?

A. Yes. He was implicated. He was released after 38 days on bail.

Q. When were you arrested?

A. On 30th Har after the riot. I was arrested at my house.

Q. Where is your shop?

A. In Maharajganj.

Q. Was any Hindu shop in Maharajganj looted in your opinion?

A. No Hindu shop was looted in Maharajganj so long as I was at my shop. It was 2-30 p. m. then.

Q. When did you leave your shop?

A. I closed my shop at 2-30 p. m. and went home. My home is at Ali Kadal. I was taken to Maharajganj after arrest next day after the riot. It was then that I saw Dr. Abdul Wahid beaten. Even then I did not notice any Hindu shops having been looted.

Q. Were you present when your house was looted?

A. Yes.

Q. When did you put in a petition about the loot to higher authorities?

A. My elder brother came after a month from Bandipura and put in a petition about the loot of our house.

Q. Were any other Muslim houses looted in the Mohalla in which you live that is Ali Kadal?

A. Yes. Two or three other houses were looted also.

Q. How far is the shop of Tulsi Ram Kesho Dass from your shop? Could that shop be seen from your shop?

A. It is about five or six shops away from my shop on the other side of the road, and if I sit on the outer portion of my shop the shop of Kesho Dass Tulsi Ram can be seen from there.

Q. Are you aware that that shop was looted?

A. I did not see the shop being looted but I was told afterwards that that shop was looted.

(Sd.) MOHAMMAD MAQBOOL.

Certified that the above statement was read over to the witness and was admitted correct by him.

(Sd.) RAM NATH SHARMA,

12th September 1931. *Secretary Enquiry Commission.*